CITY OF BELMONT CITY COUNCIL

AND

BELMONT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS



NOTICE OF SPECIAL MEETING Tuesday, January 27, 2015 6:30 P.M.

City Council Chambers, One Twin Pines Lane, City Hall One Twin Pines Lane, Belmont, California

AGENDA

This Special Meeting is called to consider the items of business listed below.

1. ROLL CALL

2. ITEMS OF BUSINESS

Persons wishing to orally address the Council on the items of business listed below will be given an opportunity to do so before or during the Council's consideration of the item.

A. STUDY SESSION

The public will have an opportunity to address the City Council concerning this item.

(1) Technology Update

3. ADJOURNMENT

If you need assistance to participate in this meeting, please contact the City Clerk at (650) 595-7413. The speech and hearing-impaired may call (650)637-2999 for TDD services. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting information can also be accessed via the internet at: www.belmont.gov. All staff reports will be posted to the web in advance of the meeting, and any writings or documents provided to a majority of the City Council/District Board regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, One Twin Pines Lane, during normal business hours and at the Council Chambers at City Hall, Second Floor, during the meeting.



SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE FORMER BELMONT REDEVELOPMENT AGENCY GOVERNING BOARD

Tuesday, January 27, 2015

One Twin Pines Lane, City Hall One Twin Pines Lane, Belmont, California

AGENDA

This Special Meeting is called to consider the items of business listed below.

1. ROLL CALL

2. ITEMS OF BUSINESS

Persons wishing to orally address the Council on the items of business listed below will be given an opportunity to do so before or during the Council's consideration of the item.

A. CONSENT

Consent items are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember or staff request specific items to be removed for separate action.

(1) Authorize Public Improvement Agreement for Use of Bond Proceeds

Recommendation: Adopt Resolution Authorizing Public Improvement Agreement for Use of Bond Proceeds

Attachment(s):

Staff Report

Resolution

Public Improvement Agreement

(2) Approve the long range property management plan and authorize conveyance of governmental use property to the City of Belmont

Recommendation: Adopt a resolution approving the Successor Agency Long Range Property Management Plan and authorizing conveyance of governmental use property to the City of Belmont

Attachment(s):

Staff Report

Resolution

Long Range Property Management Plan

3. ADJOURNMENT

If you need assistance to participate in this meeting, please contact the City Clerk at (650) 595-7413. The speech and hearing-impaired may call (650)637-2999 for TDD services. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting information can also be accessed via the internet at: www.belmont.gov. All staff reports will be posted to the web in advance of the meeting, and any writings or documents provided to a majority of the City Council/District Board regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, One Twin Pines Lane, during normal business hours and at the Council Chambers at City Hall, Second Floor, during the meeting.



STAFF REPORT

Meeting Date: January 27, 2015

Agency: Successor Agency to the Belmont Redevelopment Agency

Staff Contact: Jennifer Rose, Finance Department, (650) 595-7453, <u>jrose@belmont.gov</u>

Agenda Title: Authorize Public Improvement Agreement for Use of Bond Proceeds

Agenda Action: Resolution

Recommendation

Adopt Resolution Authorizing Public Improvement Agreement for Use of Bond Proceeds.

Background

In 1999, the former Redevelopment Agency of the City of Belmont ("Former Agency") issued bonds in the principal amount of \$8,725,000 for the purpose of funding various public improvements. The majority of the funds have been spent on public improvements projects, but \$325,259 remains unspent.

After the passage of AB1x26 on June 28, 2011, the Former Agency was unable to enter into any contracts or to utilize these funds for public improvements undertaken by the City on the Agency's behalf. Legislation adopted in 2012 (AB 1484) provided that these bond proceeds could be used once the Belmont Successor Agency received a "Finding of Completion."

The Successor Agency received a Finding of Completion on October 1, 2014 and may now spend the remaining bond proceeds on purposes for which the bonds were issued. Because the Successor Agency has no staff, the proposed agreement provides that the Successor Agency will transfer the remaining bond funds to the City to assist in funding improvements consistent with the bond indentures.

Analysis

Due to the dissolution of redevelopment agencies and the policies of the California Department of Finance (DOF), neither the City nor the Successor Agency has been able to expend the remaining bond funds. Currently \$325,259 remains and is held by the Successor Agency.

Health & Safety Code Section 34191.4(c) provides that once the Successor Agency receives a Finding of Completion, it may expend unobligated bond proceeds from bonds issued before 2011 "in a manner consistent with the original bond covenants." The original bond covenants provided that the bonds would fund "public improvements for the benefit of the Project Area in furtherance of the Redevelopment Plan."

The Successor Agency currently holds the \$325,259 in bond proceeds. Because the Successor Agency has no staff, it would be most efficient for the Agency to transfer the bond proceeds to the City to expend on improvements consistent with the bond covenants, with the City entering into the necessary contracts and City staff managing the contracts. The attached Public Improvement Agreement provides that the bond proceeds will be transferred to the City.

Page 1 of 2

If the City and the Successor Agency approve the Public Improvement Agreement, the Successor Agency will request approval from the Oversight Board and DOF. The expenditure of the bond proceeds will then be shown on the Recognized Obligation Payment Schedule (ROPS) as an "excess bond proceeds obligation." If approved by DOF, the Agency will transfer the funds to the City.

Alternatives

- Take No Action. 1.
- 2. Provide Alternative Direction to Staff.

Attachme	nts
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- A. Resolution
- Public Improvement Agreeement B.

Fiscal	Impact	

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	No Impact/Not Ap Funding Source C		le ed: The subject funds are currently h	eld by	y the Successor Agency.
<u>Sou</u>	rce:	Purpo	ose:	Pub	lic Outreach:
	Council	\boxtimes	Statutory/Contractual Requirement		Posting of Agenda
\boxtimes	Staff		Council Vision/Priority		Other*
	Citizen Initiated		Discretionary Action		
П	Other*		Plan Implementation*		

RESOLUTION NO. 2015-

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF BELMONT APPROVING AND AUTHORIZING EXECUTION AND IMPLEMENTATION OF THE PUBLIC IMPROVEMENT AGREEMENT BETWEEN THE CITY OF BELMONT AND THE SUCCESSOR AGENCY

WHEREAS, under ABx1 26 enacted in June 2011, as amended by AB 1484 enacted in June 2012 (collectively, the "Dissolution Law"), the City of Belmont (the "City") and the Successor Agency to the Redevelopment Agency of the City of Belmont (the "Successor Agency") are required to take certain actions regarding bonds issued by the Redevelopment Agency of the City of Belmont (the "Former Agency") prior to its dissolution on February 1, 2012; and,

WHEREAS, by letter dated October 1, 2014, the California Department of Finance ("DOF") issued to the Successor Agency a finding of completion in accordance with Health and Safety Code Section 34179.7 (the "Finding of Completion"), signifying the Successor Agency's full compliance with specified payment obligations; and,

WHEREAS, prior to the dissolution of the Former Agency:

- 1. Under California Community Redevelopment Law (Health and Safety Code Section 33000 et seq; the "Redevelopment Law"), the Former Agency was responsible for implementing the Redevelopment Plan for the Los Costanos Community Development Project (the "Redevelopment Plan"), which set forth a redevelopment program for the Los Costanos Community Development Project Area (the "Project Area"), including the provision and enhancement of public facilities and infrastructure benefitting the Project Area; and,
- 2. Under an Indenture of Trust between the Former Agency and BNY Western Trust Company, dated as of December 1, 1999 (the "1999 Bond Indenture"), and related bond documents (the "1999 Bond Documents"), the Former Agency issued Belmont Redevelopment Agency Subordinated Tax Allocation Bonds Series 1999B in the principal amount of \$8,725,000 (the "1999 Bonds") for the purpose of funding public improvements for the benefit of the Project Area and in furtherance of the Redevelopment Plan; and,

WHEREAS, there remain \$325,259 of unencumbered net proceeds of the 1999 Bonds (the "Remaining 1999 Bond Proceeds"), which have been transferred to and remain in the possession of the Successor Agency; and,

WHEREAS, Health and Safety Code Section 34191.4(c), which applies to successor agencies that have received a finding of completion from the DOF, provides, in relevant part:

"Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold. Notwithstanding...any... conflicting provision of law, bond proceeds in excess of the amounts needed to satisfy approved enforceable obligation shall thereafter be expended in a manner consistent with

the original bond covenants...An expenditure pursuant to this paragraph shall constitute the creation of an excess bond proceeds obligation to be paid from the excess proceeds. Excess bond proceeds shall be listed separately on the Recognized Obligation Payment Schedule submitted by the successor agency"; and,

WHEREAS, for the reasons summarized below, the Agreement constitutes the creation of an excess proceeds obligation authorized by Health and Safety Code Section 34191.4(c) that shall be paid from the Remaining 1999 Bond Proceeds:

1. Health and Safety Code Section 34191.4(c) applies to the Successor Agency because the Successor Agency has received its Finding of Completion from DOF. The Finding of Completion expressly states in relevant part:

"The [Successor] Agency may now do the following:...Utilize proceeds derived from bonds issued prior to January 1, 2011 in a manner consistent with the original bond covenants per HSC section 34191.4(c)"; and,

- 2. The Remaining 1999 Bond Proceeds to be expended by the Successor Agency under this Agreement constitute "bond proceeds derived from bonds issued on or before December 31, 2010" in that the 1999 Bonds were issued on December 1, 1999; and,
- 3. The Remaining 1999 Bond Proceeds to be expended by the Successor Agency under this Agreement also constitute "bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations" in that the Remaining 1999 Bond Proceeds constitute unencumbered proceeds of the 1999 Bonds received by the Successor Agency from the Former Agency that are not needed to satisfy any "enforceable obligation", as that term is defined in Health and Safety Code Section 34171(d); and,
- 4. Expenditure of Remaining 1999 Bond Proceeds by the Successor Agency under this Agreement is "for the purposes for which the bonds were issued" and "in a manner consistent with the original bond covenants", which purpose and covenants are found primarily in the 1999 Bond Indenture and the 1999 Bond Documents. Specifically, the 1999 Bond Documents provide that the Remaining 1999 Bond Proceeds will "finance redevelopment activities of the Agency with respect to the Project Area."; and,

WHEREAS, in accordance with Health and Safety Code Section 34191.4(c), the Successor Agency and the City desire to enter into a Public Improvement Agreement (the "Agreement"), whereby the Successor Agency will grant and provide to the City the Remaining 1999 Bond Proceeds in the amount of \$325,259, and the City will utilize the Remaining 1999 Bond Proceeds for public improvements consistent with the 1999 Bond Documents, including providing design, construction administration, inspection, and permit services, and entering into one or more construction contracts if required; and,

WHEREAS, under Health and Safety Code Section 34189(a), the provisions of Health and Safety Code Section 33445 are now inoperative, so that no findings of the Successor Agency or the City Council are required under that statutory provision in connection with the approval

and execution of this Agreement; it being understand that this Agreement is entered into under the authority of Health and Safety Code Section 34191.4(c); and,

WHEREAS, Health and Safety Code Section 34180(h) requires that any agreement between a successor agency and the city that formed a dissolved redevelopment agency, such as the Agreement, must be approved by the successor agency's oversight board; and,

WHEREAS, consequently, the Agreement will become effective only upon approval of the Oversight Board and certain other actions under the Dissolution Law, as fully provided in Section 2.10 of the Agreement (the "Effective Date").

NOW, THEREFORE, the Successor Agency to the Former Belmont Redevelopment Agency resolves as follows:

<u>SECTION 1.</u> The foregoing recitals are true and correct.

<u>SECTION 2.</u> The Successor Agency hereby approves the Agreement, and authorizes the Executive Director to execute the Agreement on behalf of the Successor Agency, substantially in the form on file with the City Clerk.

SECTION 3. The Executive Director or designee, following consultation with Agency Counsel, is authorized to take all actions and execute all documents on behalf of the Successor Agency necessary to effectuate the purpose of this Resolution and the Agreement.

SECTION 4. This Resolution shall go into full force and effect on the date of its adoption.

* * *

ADOPTED January 27, 2015, by the Successor Agency to the Former Belmont Redevelopment Agency by the following vote:

Ayes:	
Noes:	
Absent:	
Abstain:	
ATTEST:	
Agency Secretary	Chair
	APPROVED AS TO FORM:
	Agency Counsel

PUBLIC IMPROVEMENT AGREEMENT FOR USE OF BOND PROCEEDS

This Public Improvement Agreement for Use of Bond Proceeds (the "Agreement") is entered into as of January 27, 2015 by and between the City of Belmont (the "City"), and the Successor Agency to the Redevelopment Agency of the City of Belmont (the "Successor Agency"), on the basis of the following facts, understandings, and intentions of the City and the Successor Agency (sometimes collectively referred to as the "Parties" and individually as a "Party"):

RECITALS

- A. This Agreement is entered into to implement terms and requirements of ABx1 26 enacted June 28, 2011, as modified by AB 1484 enacted June 27, 2012 (collectively, the Dissolution Law").
- B. By letter dated October 1, 2014, the California Department of Finance ("DOF") issued to the Successor Agency a finding of completion in accordance with Health and Safety Code Section 34179.7 (the "Finding of Completion"), signifying the Successor Agency's full compliance with specified payment obligations.
- C. Prior to the dissolution of the Redevelopment Agency of the City of Belmont (the "Former Agency"):
- 1. Under California Community Redevelopment Law (Health and Safety Code Section 33000 et seq; the "Redevelopment Law"), the Former Agency was responsible for implementing the Redevelopment Plan for the Los Costanos Community Development Project (the "Redevelopment Plan"), which set forth a redevelopment program for the Los Costanos Community Development Project Area (the "Project Area"), including the provision and enhancement of public facilities and infrastructure benefitting the Project Area;
- 2. Under an Indenture of Trust between the Former Agency and BNY Wester Trust Company, dated as of December 1, 1999 (the "1999 Bond Indenture"), and related bond documents (the "1999 Bond Documents"), the Former Agency issued Belmont Redevelopment Agency Subordinated Tax Allocation Bonds Series 1999B in the principal amount of \$8,725,000 (the "1999 Bonds") for the purpose of funding public improvements for the benefit of the Project Area and in furtherance of the Redevelopment Plan.
- D. There remain \$325,259 of unencumbered net proceeds of the 1999 Bonds (the "Remaining 1999 Bond Proceeds"), which have been transferred to and remain in the possession of the Successor Agency.
- E. Health and Safety Code Section 34191.4(c), which applies to successor agencies that have received a finding of completion from DOF, provides, in relevant part:

"Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold. Notwithstanding...any... conflicting provision of law, bond proceeds in excess of the amounts needed to satisfy approved enforceable obligation shall thereafter be expended in a manner consistent with the original bond covenants...An expenditure pursuant to this paragraph shall constitute the creation of an excess bond proceeds obligation to be paid from the excess

proceeds. Excess bond proceeds shall be listed separately on the Recognized Obligation Payment Schedule submitted by the successor agency."

- G. For the reasons summarized below, this Agreement constitutes the creation of an excess proceeds obligation authorized by Health and Safety Code Section 34191.4(c) that shall be paid from the Remaining 1999 Bond Proceeds:
- 1. Health and Safety Code Section 34191.4(c) applies to the Successor Agency because the Successor Agency has received its Finding of Completion from the DOF. The Finding of Completion expressly states in relevant part:

"The [Successor] Agency may now do the following:...Utilize proceeds derived from bonds issued prior to January 1, 2011 in a manner consistent with the original bond covenants per HSC section 34191.4(c)."

- 2. The Remaining 1999 Bond Proceeds to be expended by the Successor Agency under this Agreement constitute "bond proceeds derived from bonds issued on or before December 31, 2010" in that the 1999 Bonds were issued on December 1, 1999.
- 3. The Remaining 1999 Bond Proceeds to be expended by the Successor Agency under this Agreement also constitute "bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations" in that the Remaining 1999 Bond Proceeds constitute unencumbered proceeds of the 1999 Bonds received by the Successor Agency from the Former Agency that are not needed to satisfy any "enforceable obligation", as that term is defined in Health and Safety Code Section 34171(d).
- 4. Expenditure of Remaining 1999 Bond Proceeds by the Successor Agency under this Agreement is "for the purposes for which the bonds were issued" and "in a manner consistent with the original bond covenants", which purpose and covenants are found primarily in the 1999 Bond Indenture and the 1999 Bond Documents. Specifically, the 1999 Bond Documents provide that the Remaining 1999 Bond Proceeds will "finance redevelopment activities of the Agency with respect to the Project Area."
- H. In accordance with Health and Safety Code Section 34191.4(c), the Successor Agency and the City desire to enter into this Agreement, whereby the Successor Agency will grant and provide to the City the Remaining 1999 Bond Proceeds in the amount of \$325,259, and the City will utilize the Remaining 1999 Bond Proceeds for public improvements consistent with the 1999 Bond Documents, including providing design, construction administration, inspection, and permit services, and entering into one or more construction contracts if required.
- I. Under Health and Safety Code Section 34189(a), the provisions of Health and Safety Code Section 33445 are now inoperative, so that no findings of the Successor Agency or the City Council are required under that statutory provision in connection with the approval and execution of this Agreement; it being understand that this Agreement is entered into under the authority of Health and Safety Code Section 34191.4(c).
- J. Under Public Resources Code 21000 et seq., this Agreement is not subject to the California Environmental Quality Act because it is only a funding mechanism for unspecified projects.

K. Health and Safety Code Section 34180(h) requires that any agreement between a successor agency and the city that formed a dissolved redevelopment agency, such as this Agreement, must be approved by the successor agency's oversight board. Consequently, this Agreement will become effective only upon approval of the Oversight Board and certain other actions under the Dissolution Law, as fully provided in Section 2.10.

NOW, THEREFORE, the City and the Successor Agency agree as follows:

ARTICLE 1. FUNDING

- Section 1.1 <u>Funding</u>. The Successor Agency hereby grants and agrees to make available to the City the Remaining 1999 Bond Proceeds in an amount equal to \$325,259 to be used exclusively to pay for City's services and third party costs for public improvements consistent with the 1999 Bond Documents.
- Section 1.2 <u>Bonds</u>. The City acknowledges that the Remaining 1999 Bond Proceeds are derived from proceeds of the 1999 Bonds. The City shall cooperate to assure that the Remaining 1999 Bond Proceeds are used as authorized by the terms of the 1999 Bond Indenture and the 1999 Bond Documents and the applicable laws, rules and regulations pursuant to which the 1999 Bonds were issued.
- Section 1.3 <u>Disbursement of Remaining 1999 Bond Proceeds</u>. The Successor Agency shall disburse the Remaining 1999 Bond Proceeds in their entirety to City within ten (10) days after the Effective Date (as defined and described in Section 2.10), for use by the City consistent with the 1999 Bond Documents.

ARTICLE 2. GENERAL PROVISIONS

Section 2.1 Notices. Any notice or communication required to be given under this Agreement by a Party shall be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If delivered by registered or certified mail, a notice shall be deemed to have been given and received on the first to occur of: (a) actual receipt by an addressee designated below as a Party to whom notices are sent; or (b) five (5) days after the registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If delivered personally, a notice shall be deemed to have been given when delivered to the Party to whom it is addressed. A Party may at any time, by giving ten (10) days written notice to the other Party pursuant to this Section 2.1, designate any other address substitution of the address to which such notice or communication be given.

Notices shall be given to the Parties at their address set forth below:

Successor Agency: Successor Agency for the Redevelopment Agency of the

City of Belmont One Twin Pines Lane Belmont, CA 94002

Attention: Executive Director

City: City of Belmont

One Twin Pines Lane Belmont, CA 94002 Attention: City Manager

- Section 2.2 <u>Actions of the Parties</u>. Except as otherwise provided in this Agreement, whenever this Agreement calls for or permits a Party's approval, consent, or waiver, the written approval, consent, or waiver of the Successor Agency's Executive Director or the City Manager (or their respective designees) shall constitute the approval, consent, or waiver of the Successor Agency or the City, respectively, without further authorization required from the governing board of the Party.
- Section 2.3 <u>Nondiscrimination</u>. The Successor Agency and City shall not, because of race, religion, creed, color, national origin, ancestry, sexual orientation, physical disability, mental disability, medical condition, marital status, or sex of any person, refuse to hire or employ the person, or refuse to select the person for a training program leading to employment, or bar or discharge the person from employment or from training program leading to employment, or discriminate against the person in compensation or in terms, conditions or privileges of employment with respect to performance of this Agreement. The City shall require the inclusion of substantially similar non-discrimination provisions in contracts City awards in the implementation of the Project.
- Section 2.4 No Third Party Beneficiaries. No person or entity other than the Successor Agency and City and their permitted successors and assigns, shall have any right of action under this Agreement.
- Section 2.5 <u>State Law.</u> This Agreement, and the rights and obligations of the Parties hereto, shall be construed and enforced in accordance with the laws of the State of California.
- Section 2.6 <u>Compliance with Legal Requirements</u>. The Successor Agency and the City shall both comply with all applicable laws, regulations and other legal requirements in performing their respective obligations under this Agreement.
- Section 2.7 <u>Additional Acts</u>. The Parties each agree to take such other and additional action and execute and deliver such other and additional documents as may be reasonably requested by the other Party for purposes of consummating the transactions contemplated in this Agreement.
- Section 2.8 <u>Litigation Regarding Agreement Validity</u>. In the event litigation is initiated attacking the validity of this Agreement, each Party shall in good faith defend and seek to uphold the Agreement.
- Section 2.9 <u>Entire Agreement: Modification</u>. This Agreement contains all of the agreements and understandings of the Parties pertaining to the subject matter contained herein and supersedes all prior or contemporaneous agreements, representations and understandings of the Parties. This Agreement cannot be amended or modified except by written agreement of the Parties.
- Section 2.10 <u>Effectiveness of Agreement</u>. This Agreement shall become effective only upon satisfaction of the following conditions:

Action");	(a)	Approval of this Agre-	ement t	by the Oversight Board (the "Oversight Boa	ard			
the provisions	(b) of Hea	Notification to the DC		e Oversight Board Action in accordance w 4179(h); and	⁄ith			
Recognized C	Obligation afety Co	emaining 1999 Bond on Payment Schedule (Funds (the "RC	sor Agency of the excess bond proceed represented by this Agreement on a future DPS") in accordance with the last sentence pproval of such ROPS item by the Oversign	ure of			
The date upon which the above conditions are first satisfied is referred to as the 'Effective Date".								
		EOF, this Agreement this Agreement:	has be	een executed as of the date set forth in t	:he			
				ESSOR AGENCY FOR THE VELOPMENT AGENCY OF THE CITY (ONT	ЭF			
			Ву:	Executive Director				
			CITY	OF BELMONT				
			Ву:	City Manager				



STAFF REPORT

Meeting Date: January 27, 2015

Agency: Successor Agency to the Belmont Redevelopment Agency

Staff Contact: Jennifer Rose, Finance Department, (650) 595-7453, <u>jrose@belmont.gov</u>

Agenda Title: Approve the Long Range Property Management Plan and Authorize Conveyance of

Governmental Use Property to the City of Belmont

Agenda Action: Resolution

Recommendation

Adopt a resolution approving the Successor Agency Long Range Property Management Plan and authorizing conveyance of governmental use property to the City of Belmont.

Background

The Successor Agency to the Redevelopment Agency of the City of Belmont received a Finding of Completion from the California Department of Finance ("DOF") on October 1, 2014, signifying that the Successor Agency had fully complied with all payment obligations under the redevelopment dissolution statutes.

Health & Safety Code Section 34191.5(b) requires that within six months of receiving a Finding of Completion, the Successor Agency must prepare a Long-Range Property Management Plan ("LRPMP") describing the use and disposition of any real properties owned by the former Redevelopment Agency of the City of Belmont and transferred to the Successor Agency by operation of law upon the dissolution of redevelopment agencies in 2012. Any real property that is considered to be a housing asset was transferred to the City as housing successor in August 2012, after the Department of Finance approved the Successor Agency's housing asset list.

The only real property now owned by the Successor Agency consists of public street improvements that were completed with redevelopment bond proceeds totaling \$1,944,304. These improvements consist of streets, sidewalks, curbs, gutter, landscaping, fencing and irrigation at locations including Sixth Avenue, O'Neill Avenue, and Old County Road. In each of these locations the underlying property is owned by the City of Belmont, and the improvements were constructed as, and are currently used for, a governmental purpose such as public roads and pedestrian sidewalks.

Analysis

Health and Safety Code Section 34191.5 states that permissible uses of properties covered by the LRPMP include retention of property for governmental use as described in Section 34181(a). Section 34181(a) provides that assets that are used for governmental purposes should be transferred to the appropriate governmental agency, which in this case is the City.

Because the aforementioned public street improvements are used entirely for governmental purposes the Successor Agency desires to transfer the ownership of the improvements to the City. The attached Successor Agency resolution approves the LRPMP and authorizes the conveyance of the public street

improvements to the City. The City Council will separately consider a resolution to accept the conveyance of the public street improvements.

If both the Successor Agency and the City Council approve the companion resolutions, the Successor Agency will request approval of the LRPMP from the Belmont Oversight Board at their February 12, 2015 meeting, and subsequently from DOF. Upon DOF approval, the improvements will be transferred to the City.

Alternatives

- 1. Take no action.
- 2. Provide alternative direction to staff.

Attachments

- A. Resolution
- B. Long Range Property Management Plan

<u>Fisc</u>	al Impact								
	No Impact/Not Applicable☐ Funding Source Confirmed:								
<u>Sou</u>	rce:	Purpo	ose:	<u>Pub</u>	lic Outreach:				
	Council	\boxtimes	Statutory/Contractual Requirement		Posting of Agenda				
	Staff		Council Vision/Priority		Other*				
	Citizen Initiated		Discretionary Action						
	Other*		Plan Implementation*	•					

RESOLUTION NO. 2015-

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF BELMONT APPROVING THE LONG RANGE PROPERTY MANAGEMENT PLAN AND AUTHORIZING CONVEYANCE OF GOVERNMENTAL USE PROPERTY TO THE CITY OF BELMONT

WHEREAS, by letter dated October 1, 2014, the California Department of Finance ("DOF") issued to the Successor Agency to the Redevelopment Agency of the City of Belmont (the "Successor Agency") a finding of completion in accordance with Health and Safety Code Section 34179.7 (the "Finding of Completion"), signifying the Successor Agency's full compliance with specified payment obligations; and,

WHEREAS, Health and Safety Code Section 34191.5(b) requires that, no later than six months following the issuance to the Successor Agency of the Finding of Completion, the Successor Agency prepare a Long-Range Property Management Plan ("LRPMP") to address the disposition and use of the properties of the former Redevelopment Agency of the City of Belmont (the "Former Agency"); and,

WHEREAS, the staff of the Successor Agency has prepared an LRPMP that identifies the property assets of the former Redevelopment Agency of the City of Belmont (the "Former Agency") and the Successor Agency's preferred method of disposing of those assets; and,

WHEREAS, under Health and Safety Code Section 34191.5(b), the LRPMP is to be submitted to the Oversight Board for the Successor Agency (the "Oversight Board") and DOF for approval; and,

WHEREAS, Health and Safety Code Section 34191.5 states that permissible uses of properties covered by the LRPMP are (a) retention of property for governmental use as described in Section 34181(a), (b) use of property for a use identified in the redevelopment plan of the Former Agency; (c) the use of the property to satisfy enforceable obligations of the Successor Agency and (d) the disposition of the property; and,

WHEREAS, the Successor Agency's only property asset consists of improvements made by the Former Agency including streets, sidewalks, curbs, gutters, landscaping, fencing and irrigation at locations including Sixth Avenue, O'Neill Avenue, and Old County Road in the City of Belmont (the "Improvements"), which Improvements were constructed as and are currently used and maintained for a governmental purpose by the City of Belmont (the "City") as public roads and sidewalks; and,

WHEREAS, the Successor Agency desires to transfer the Improvements to the City as a governmental use property; and,

WHEREAS, Health and Safety Code Section 34181(a) provides that the Oversight Board may direct the transfer of ownership of the Former Agency's assets that are used for governmental purposes to the appropriate governmental agency, such as the City.

NOW, THEREFORE, the Successor Agency to the Former Belmont Redevelopment Agency of the City of Belmont resolves as follows:

<u>SECTION 1.</u> The foregoing recitals are true and correct.

SECTION 2. The Long Range Property Management Plan attached hereto as Exhibit "A" is approved.

SECTION 3. The Executive Director is authorized to convey the Improvements to the City, after approval by the Oversight Board and upon the effective date of the Oversight Board's action under Health and Safety Code sections 34179(h) and Section 34181(f).

SECTION 4. This Resolution shall go into full force and effect on the date of its adoption.

* * *

Rede		January 27, gency by the following		-	Successor	Agency	of	the	Former	Belmont
Reue	velopilient Ag	ency by the for	nowing	voic.						
Ayes	:									
Noes	:									
Abse	nt:									
Δhete	ain·									

Noes:	
Absent:	
Abstain:	
ATTEST:	
Agency Secretary	Chair
	APPROVED AS TO FORM:
	Agency Counsel



LONG-RANGE PROPERTY MANAGEMENT PLAN CHECKLIST

Instructions: Please use this checklist as a guide to ensure you have completed all the required components of your Long-Range Property Management Plan. Upon completion of your Long-Range Property Management Plan, email a PDF version of this document and your plan to: Redevelopment_Administration@dof.ca.gov

The subject line should state "[Agency Name] Long-Range Property Management Plan". The Department of Finance (Finance) will contact the requesting agency for any additional information that may be necessary during our review of your Long-Range Property Management Plan. Questions related to the Long-Range Property Management Plan process should be directed to (916) 445-1546 or by email to Redevelopment_Administration@dof.ca.gov.

Pursuant to Health and Safety Code 34191.5, within six months after receiving a Finding of Completion from Finance, the Successor Agency is required to submit for approval to the Oversight Board and Finance a Long-Range Property Management Plan that addresses the disposition and use of the real properties of the former redevelopment agency.

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Agency Name: Belmont, CA

Date Finding of Completion Received: October 1, 2014

Date Oversight Board Approved LRPMP:

Long-Range Property Management Plan Requirements

Trange i Toperty Management i lan Nequilements
For each property the plan includes the date of acquisition, value of property at time of acquisition, and an estimate of the current value.
∑ Yes □ No
For each property the plan includes the purpose for which the property was acquired.
∑ Yes □ No
For each property the plan includes the parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.
∑ Yes □ No
For each property the plan includes an estimate of the current value of the parcel including, if available, any appraisal information.
∑ Yes □ No
For each property the plan includes an estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.
∑ Yes □ No

	For each property the plan includes the history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.										
	∑ Yes □ No										
	For each property the plan includes a description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.										
			No								
	For each property the plan includes a brief history of previous development proposals and activity, including the rental or lease of the property.										
	For each property the plan identifies the use or disposition of the property, which could include 1) the retention of the property for governmental use, 2) the retention of the property for future development, 3) the sale of the property, or 4) the use of the property to fulfill an enforceable obligation.										
	⊠ Yes □ No										
	The plan separately identifies and list properties dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation.										
	∑ Yes										
If app review	ADDITIONAL INFORMATION If applicable, please provide any additional pertinent information that we should be aware of during our review of your Long-Range Property Management Plan. All of the property subject to the Long Range Property Management Plan consists of streets, sidewalks, curbs, gutter, landscaping, fencing and irrigation at locations including Sixth Avenue, O'Neill Avenue, and Old County Road. In each of these locations the underlying property is owned by the City of Belmont, and the improvements were constructed as, and are currently used for, a governmental purpose such as public roads and pedestrian sidewalks. Agency Contact Information										
		Thoma		Name	Jennifer Rose						
Name: Title:			as rii ce Director	Name: Title:	Management Analyst						
Phone:		(650) 595-7435 Phone: (650) 595-7453									
Email:	_		<u>l@belmont.gov</u> Email: jrose@belmont.gov								
Date:	•	1/27/1	5	Date:	1/27/15						
Departr	ment of Fir	ance L	ocal Government Unit Use Onl	Y							
DETER	MINATION	ON LR	PMP: APPROVED	DENIED							
APPRO	VED/DENII	ED BY:		DA1	E:						
APROV	AL OR DEI	NIAI I F	TTER PROVIDED: Tyes	DATE AGENCY	NOTIFIED:						

Successor Agency: Belmont

County: San Mateo

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA

_		HSC 34191.	.5 (c)(1)(C)			HSC 34191.	5 (c)(2)
						If Sale of Property,	
						specify intended	
		Address or			Permissible	use of sale	
	No.	Description	APN	Property Type	Use	proceeds	Permissible Use Detail
ſ		Public Street			Governmental		
	1	Improvements	N/A	Roadway/Walkway	Use		Public Roadways and Sidewalks

HSC	34191.5 (c)(1)(<i>A</i>	١)			SALE OF PROPERTY (If applicable)					
Acquisition Date	Value at Time of Acquisition	Estimated Current Value	Date of Estimated Current Value	Estimated Current Value Basis	Proposed Sale Value	Proposed Sale Date				
Various	Various	\$ 1,944,304	6/30/14	Book	N/A	N/A				

HSC 34191.5 (c)(1)(B)	HSC 34191.5 (c)(1)(C)	HSC 34191.5 (c)(1)(D)	HSC:	34191.5 (c)(1)(E)	HSC 34191.5 (c)(1)(F)	HSC 341	HSC 34191.5 (c)(1)H)	
Purpose for which property was acquired	Lot Size	Current Zoning	Estimate of Current Parcel Value	Annual Estimate of Income/Revenue	Are there any contractual requirements for use of income/revenue?	Has there been historic environmental contamination, studies, and/or remediation, and designation as a brownfield site for the property?	transit oriented	Were there advancements to the successor agency's planning objectives?	proposals and
Public Right-of- Way - Roads, Sidewalks	N/A	N/A	\$ 1.944.304	\$	No	No	No	No	No

CITY OF BELMONT CITY COUNCIL

AND

BELMONT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS



www.belmont.gov

REGULAR MEETING AGENDA Tuesday, January 27, 2015 7:00 p.m.

City Council Chambers City Hall, One Twin Pines Lane, Belmont, California

- 1. ROLL CALL
- 2. PLEDGE OF ALLEGIANCE
- 3. REPORT FROM CLOSED SESSION (None)
- 4. SPECIAL PRESENTATIONS
 - A. Belmont Fire Department Badge Pinning Ceremony
- 5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

This portion of the meeting is reserved for persons wishing to address the Council on any City matter not on the agenda. The period for public comment at this point in the agenda is limited to 15 minutes, with a maximum of 3 minutes per speaker. Speakers who requested but did not receive an opportunity to speak during this initial comment period will be given an opportunity to address the Council later in the agenda. State law prohibits the Council from acting on non-agenda items.

6. COUNCILMEMBER ANNOUNCEMENTS

7. CONSENT CALENDAR

Consent Calendar items are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember or staff request specific items to be removed for separate action. The City Attorney will read the title of ordinances to be adopted.

- A. Waive further reading of proposed ordinances
- **B.** Monthly Financial Reports

Recommendation: Motion to Receive Monthly Financial Reports

Attachments(s):

Monthly Financial Reports - December

C. FY 2016 Budget Calendar

Recommendation: Adopt motion approving FY 2016 Budget Calendar.

Attachments(s):

Staff Report

D. Service Agreement Amendment with Keyser Marsten Associates to Perform Professional Services Associated with Sares Regis Exclusive Negotiating Agreement

Recommendation: Adopt a resolution authorizing the City Manager to enter into a Service Agreement Amendment No. 1 with Keyser Marston Associates (KMA) for an amount not to exceed \$15,000.

Attachments(s):

Staff Report Resolution

E. Payment for Annual Maintenance of Budget Software

Recommendation: Adopt a resolution authorizing the payment of the annual maintenance of the City's budget software, BI360, in the initial amount of \$6,683.00.

Attachments(s):

Staff Report Resolution

F. Procurement of Network Equipment and Licenses from Xtelesis Corporation

Recommendation: Adopt a resolution authorizing the City Manager to procure network equipment and licenses from Xtelesis Corporation for an amount not to exceed \$12,151

Attachments(s):

Staff Report Resolution

G. Boards & Commission Ordinance (Second Reading and Adoption)

Recommendation: Adopt a Boards & Commission Ordinance

Attachments(s):

Ordinance

H. Authorize Public Improvement Agreement for Use of Bond Proceeds

Recommendation: Adopt Resolution Authorizing Public Improvement Agreement for Use of Bond Proceeds

Attachments(s):

Staff Report Resolution

Agreement

I. Accept Conveyance of Governmental Use Property from Successor Agency

Recommendation: Adopt a resolution accepting conveyance of governmental use property from the Successor Agency

Attachments(s):

Staff Report Resolution

J. Authorize the Payment for Services of Joint Fire Captain Assessment Center

Recommendation: Adopt a resolution authorizing the payment for services for a Joint Fire Captain Assessment Center from Hargis & Associates for an amount not to exceed \$5,916.66.

Attachments(s):

Staff Report Resolution

8. PUBLIC HEARINGS (None)

9. OTHER BUSINESS

- A. Fire Department Update (Verbal)
- **B.** Modification to City Councilmember Benefits

Recommendation: 1)Adopt resolution eliminating excess retiree health benefits for newly elected council members and 2) adopt a resolution modifying the benefit package for current city councilmembers by de-linking the health and welfare benefits from the Mid-Management/Confidential Employees Association (MMCEA)

Attachment(s):

Staff Report

Resolutions (2)

Resolution No. 8002 - February 11, 1997

10. COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

- A. <u>Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments</u>
- B. Verbal report from City Manager

11. CONTINUATION OF PUBLIC COMMENTS (if necessary)

This point in the agenda is reserved for speakers who could not be accommodated in the initial public comment period.

12. MATTERS OF COUNCIL INTEREST/CLARIFICATION

Items in this category are for discussion and direction to staff only. No final policy action will be taken by Council/Board.

13. ADJOURNMENT

If you need assistance to participate in this meeting, please contact the City Clerk at (650) 595-7413. The speech and hearing-impaired may call (650) 637-2999 for TDD services. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting information can also be accessed via the internet at: www.belmont.gov. All staff reports will be posted to the web in advance of the meeting, and any writings or documents provided to a majority of the City Council/District Board regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, One Twin Pines Lane, during normal business hours and at the Council Chambers at City Hall, Second Floor, during the meeting.

Regular meetings televised on Comcast Channel 27, and web streamed via City's website at www.belmont.gov

of Belmont, Monthly Financial Report ecember 31, 2014

2015

This Month's Highlights



Performance at a Glance

This report measures General Fund balance trends and yearto-date budget to actual results.

Indicator

Monthly Status



General Fund Balance growing



Some funds experiencing cyclical deficits



Long-term infrastructure unfunded



Fund Recap at a Glance

This report lists all year-to-date revenue and expenditure activity by fund.

> **Funds Experiencing Notable Year Over Year Change**

Increasing Fund Balance

General Fund

Sewer Collection System

Successor Agency

Decreasing Fund Balance

Fire Protection District

Sewer Treatment System

Fleet & Equipment Management



Budget Variance Report

This report compares budget to actual results for each major revenue source and expenditure function.

Management

Refer to this section to learn more about <u>Discussion & Analysis</u> cyclical revenue and expenditure transactions causing interim budget

variances.

Tax Trends

Sales and Transient Occupancy Tax trending upwards.



Cash Disbursement and Purchase Order Activity Report

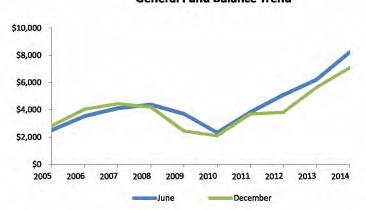
This report lists the disbursements and purchase orders issued for the amount equal to and above \$5,000.

These financial reports are designed to provide a general overview of the City of Belmont's interim finances. Questions concerning any information provided in these reports should be addressed to the Finance Director or for additional information regarding the City's financial activities, including past award winning CAFRs, transparency efforts and best practices please visit the City at www.belmont.gov.

City of Belmont Performance at a Glance Results for the Period Ended December 31, 2014 (000's)



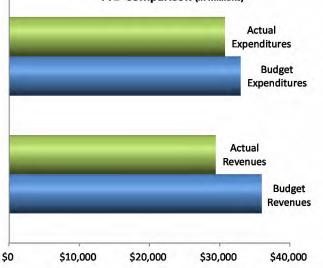
General Fund Balance Trend



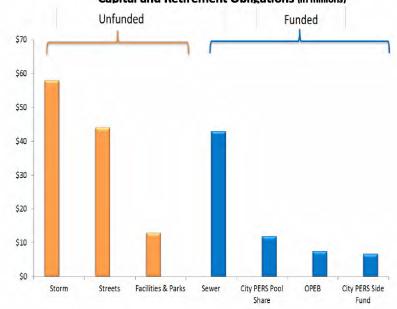
General Fund Balance Trends

6/30/2005	\$2,507	Audited
6/30/2006	\$3,544	Audited
6/30/2007	\$4,112	Audited
6/30/2008	\$4,388	Audited
6/30/2009	\$3,704	Audited
6/30/2010	\$2,329	Audited
6/30/2011	\$3,818	Audited
6/30/2012	\$5,085	Audited
6/30/2013	\$6,200	Audited
6/30/2014	\$8,204	Audited
12/31/2014	\$7,065	Unaudited

All Funds Revenues & Expenditures YTD Comparison (in millions)



Capital and Retirement Obligations (in millions)



General Fund

Through December, the General Fund balance has decreased by \$1.1 million to \$7.1 million over the prior fiscal year end. In December, General Fund year-to-date (YTD) revenues of \$8.6 million are at 92% of the YTD budget. General Fund YTD expenditures of \$9.8 million are at 99% of the YTD budget.

Fund Balance - YTD Fund Deficits

As shown in the chart of Fund Recap at a Glance on page 3, the Recreation Fund, the Supplemental Law Enforcement Fund, the Street Maintenance Fund, and the BFPD-Benefit Stabilization Fund have deficits that are expected to be eliminated in a future period. The Worker's Compensation Fund deficit is from the payment of annual insurance premiums in July. The RDA Retirement Obligation Fund (Successor Agency) Trust Fund reflects a deficit of \$7.3 million that due to the nature of the fund type, the entire outstanding debt balance is recorded and there are insufficient assets currently available to offset the liability; however, future receipts, both near and long-term, from the County Redevelopment Property Tax Trust Fund are expected to repay the bonds.

City of Belmont Fund Recap at a Glance Results for the Period Ended December 31, 2014 (000's)



		Audited		Rever	nues		E	c penditur	es		CY YTD	PY YTD
	Fund	Fund Balance	YTD	YTD	Variance	PY YTD	YTD	YTD	Variance	PY YTD	Fund Balance	Fund Balance
Fund	Name	06/30/14	Budget	Actual	%	Actual	Budget	Actual	%	Actual	12/31/14	12/31/13
		(1)		(2)				(3)			(1)+(2)-(3)	
GENERAL FUN	D											
101 Gene	ral	\$8,204	\$9,401	\$8,627	92%	\$7,880	\$9,879	\$9,766	99%	\$8,451	\$ 7,065	\$ 5,629
SPECIAL REVE	NUE FUNDS		44.5			137,000		100				1
205 Recre		0	1.121	1,055	94%	1.008	1,121	1,189	106%	1,101	(134)	(93
	y Maintenance/Operation	953	149	150	101%	149	165	156		171	946	969
	tic Field Maintenance	156	35	36	103%	38	20	20		16	172	140
208 City T		311	13	120	959%	29	23	19		3	413	257
	opment Services	0	1,263	1,475	117%	1.148	1,307	1,169	89%	1,044	306	104
212 Gene		99	295	304	103%	37	288	85		33	318	66
	rotection District	4,167	4,548	4,299	95%	4.081	4,580	5,477		3,860	2,988	4,642
	Grants and Donations	5	0	1	281%	1	1	0,		0	6	8
	emental Law Enforcement	0	70	52	74%	46	70	71	102%	63	(20)	(18)
	t Maintenance	0	962	738	77%	669	980	862	0.7716	805	(124)	(136)
	t Improvements	1.540	1,148	561	49%	523	1,745	934		946	1,167	993
	dable Housing Successor	4,002	352	135	38%	57	363	100		81	4,036	3,996
	Special Revenue	11,233	9,956	8,926	90%	7,785	10,664	10,084		8,124	10,075	10,928
CAPITAL PROJ		11,255	3,330	0,520	50,0	7,700	10,001	10,001	3370	0,12.1	20,075	10,520
	ral Facilities	536	0	0	N/A	131	29	14	49%	32	522	473
	gency Repair	333	334	334	100%	0	0	0		0	666	333
	ast PEG Program	351	0	0	55%	0	9	0		13	351	353
341 Plann		314	0	286	N/A	2	154	11		42	589	322
	uan Canyon Open Space	344	0	0	106%	1,937	33	33		30	312	357
	al Assessment Districts	296	0	0	N/A	4	0	0		0	296	296
4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Capital Projects	2,175	334	620	186%	2,074	225	58		117	2,736	2,134
		2,173	334	020	100%	2,074	223	36	20%	11/	2,730	2,134
	& OTHER FUNDS	200	224	204	4000/	224	222	460	40.004	450		200
	ry Bond Debt Service	308	331	331	100%	331	338	460		450	179	203
	r Collection System	9,641	8,548	4,428	52%	4,114	5,235	4,468		4,308	9,601	7,910
	r Treatment System	6,866	1,558	1,555	100%	1,555	294	229		223	8,191	13,854
	n Drainage Enterprise	4,055	999	964	96%	828	1,001	875		675	4,145	4,377
	Waste Management	622	251	205	82%	360	231	157		326	670	249
	er's Compensation	84	543	545	100%	401	417	732		732	(103)	(298)
	ity Insurance	102	213	229	107%	151	213	303		287	29	327
	unded Vision	0	16	16	97%	16	16	4		6	12	10
	& Equipment Management	2,117	1,263	1,242	98%	915	1,839	1,323		930	2,036	2,362
	ties Management	0	821	800	97%	721	821	792		700	8	21
	fit Stabilization	0	452	439	97%	407	407	426	2000	491	13	(27)
	-Benefit Stabilization	4	106	106	100%	105	106	114	724 33	103	(3)	1
710 Net S		348	84	84	100%	103	219	111	51%	75	321	407
	Retirement Obligation Fund	(C 75.4)	4.000	2.44	2224		4.0==	000	0001	4 4=0	(2000)	10 000
10.00	essor Agency)	(6,754)	1,086	344	32%	4	1,077	866		1,470		(9,385)
	Debt & Other	17,393	16,272	11,288	69%	10,012	12,212	10,859		10,776	17,822	20,010
Total	All Funds	\$39,005	\$35,964	\$29,460	82%	\$27,750	\$32,979	\$30,767	93%	\$27,468	\$ 37,698	\$38,701

City of Belmont Budget Variance Report General Fund / All Other Funds for the Period Ended December 31, 2014



					General F	und		70.00								All Other F	unds		100		-
	Ye	ar t	Date (YTD)				Annual		PY YTD			ear '	to Date (YT	D)				Annual	- U	PY YTD
	Budget		Actual	V	ariance	%		Budget		Actual		Budget		Actual	- 1	Variance	%		Budget		Actual
REVENUES							× 1.2						-								
Taxes	\$ 6,470	\$	5,445	\$	(1,025)		a \$	12,940	\$	4,903	\$	6,029	\$	4,702	\$	(1,327)		a \$	12,057	\$	4,471
Property Taxes	3,294		3,049		(245)	93		6,589		2,714		5,195		4,440		(756)	85		10,391		4,232
Sales Taxes	1,066		790		(276)	74		2,133		657		354		262		(92)	74		708		238
Other Taxes	2,109		1,606		(504)	76		4,219		1,532		479		479		0	100		958		479
Licenses and permits	457		576		119	126		914		579		442		557		115	126		884		379
Intergovernmental	133		196		63	147		266		152		1,502		606		(896)	40	b	3,004		503
Charge for services	2,066		2,127		61	103		4,132		1,952		11,478		12,019		541	105		22,956		10,257
Fines and forfeits Use of money and	115		84		(30)	73		229		97		•		•		•			-		64
property	160		152		(8)	95		320		138		270		257		(13)	95		540		265
Miscellaneous	-		47		47			2		47		344		710		366	207		687		343
Other financing sources	4				-			141		-		4,522		6		(4,515)	0	C	9,043		1,947
Operating transfers in	-		-		-			-		-		1,977		1,977		(0)	100		3,954		1,710
Total Revenues EXPENDITURES	\$ 9,401	\$	8,627	\$	(774)	92	\$	18,802	\$	7,868	\$	26,562	\$	21,313	\$	(5,250)	80	\$	53,125	\$	20,418
General government	2,510		2,374		135	95		5,019		1,945		4,223		2,788		1,435	66		8,445		2,440
Public safety	5,256		5,288		(32)	101		10,512		4,881		4,976		5,773		(797)	116	d	9,951		4,072
Streets and utilities	2.11		_		-			-		100		8,899		6,925		1,974	78		17,799		6,455
Culture and recreation	938		929		10	99		1,876		812		2,416		2,278		138	94		4,832		2,143
Urban redevelopment	_		-		-							2,770		1,976		794	71		5,539		2,416
Debt service			-		-			-				338		460		(122)	136	e	676		450
Operating transfer out	1,175		1,175		(0)	100		2,350		792		802		802		0	100		1,603		918
Total Expenditures	\$ 9,879	\$	9,766	\$	113	99	\$	19,758	\$	8,430	\$	24,423	\$	21,001	\$	3,422	86	\$	48,846	\$	18,894
EXCESS OF REVENUES OVER (UNDER)					(mmc)			Anc-1		inn-1						to one:					
EXPENDITURES	\$ (478)	5	(1,139)	5	(661)		\$	(955)	5	(561)	5	2,139	5	311	5	(1,828)		\$	4,279	\$	1,524

Management Discussion and Analysis

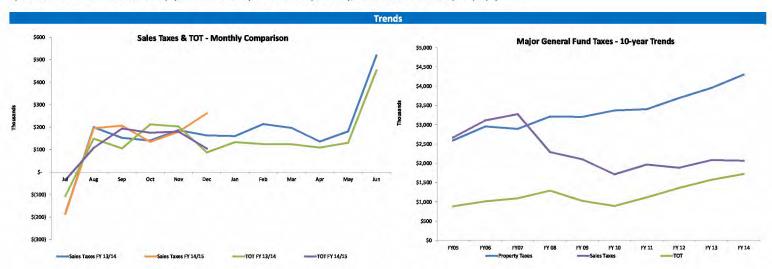
(Items with unfavorable budget variance more than \$0.1 million)

General Fund:

a) Taxes – The budget variance is primarily due to the timing of semi-annual property tax receipts received in December and April. In addition, the majority of Sales Tax and Transient Occupancy Taxes received in July are related to June activities, which are subject to accounting adjustment. Other Funds:

Revenues-

- b) Intergovernmental The County Road Fund Contribution of \$0.3 million is received annually towards the end of the fiscal year. Federal and State grants of \$1.2 million will be received once the related Street Improvement projects occur. Other revenues are expected to be received in future periods.
- c) Other financing sources The budget assumed the issuance of Sewer Bond of \$9.0 million, which will occur in a future period.
- d) Public safety The annual contribution to the BSCFD for PERS Legacy Obligations was remitted in December in the amount of \$1.38 million.
- Debt service The semi-annual bond payment for the Library CFD Bonds was paid in July, which includes the annual principal payment.



City of Belmont

Disbursements & Purchase Order Activity Report For the Period Ended December 31, 2014



Disbursements Amounts Equal to \$5,000 and Above

	Dispursements Amounts Equal to \$5,000 and Above			
Vendor	Description	Date	No.	Amount
AMERICAN ASPHALT REPAIR AND	2014 SLURRY SEAL/CCN2014-524	12/12/2014	1069346	\$82,111.82
BAMACOR, INC.	CUSTODIAL SERVICES & SUPPLIES-VARIOUS SITES	12/12/2014	EFT1088	\$8,460.82
BAY AREA SKILL GENERAL CONSTRU	CONSTRUCTION OF WATER DOG LAKE TRAIL IMPROVEMENTS	12/23/2014	EFT1279	\$16,150.00
BELMONT FIRE EMPLOYEES	DIRECT DEPOSIT 12/15/14	12/15/2014	2642	\$97,553.75
BELMONT FIRE EMPLOYEES	DIRECT DEPOSIT 12/31/14	12/31/2014	2668	\$94,760.08
BELMONT SAN CARLOS FIRE DEPT	FY15 CALPERS/MEMBERS CONTRIBUTION	12/19/2014	EFT1204	\$1,400,985.00
BFI WASTE SYSTEMS OF	4TH PMT OF BALANCING ACCT	12/19/2014	1069415	\$75,000.00
BKF ENGINEERS	PROFESSIONAL SERVICES-VARIOUS PROJECTS	12/12/2014	EFT1091	\$5,128.50
BURKE, WILLIAMS & SORENSEN, LL	LEGAL SERVICES-LIABILITY CLAIM	12/5/2014	1069307	\$9,888.30
CALPERS	CITY PERS CONTRIBUTION 11/28/14	12/15/2014	2643	\$136,787.48
CALPERS	BFPD PERS CONTRIBUTION 11/28/14	12/15/2014	2645	\$31,547.14
CALPERS	BFPD PERS CONTRIBUTION 12/15/14	12/19/2014	2666	\$31,126.77
CALPERS	CITY PERS CONTRIBUTION 12/15/14	12/19/2014	2664	\$132,250.47
CALPERS (CERBT)	OPEB ARC CONTRIBUTION FY15	12/12/2014		\$215,458.53
CAL-WEST LIGHTING & SIGNAL MAI	STREET SIGNAL LOOP REPLACEMENT	12/5/2014		\$5,275.00
CIGNA	CITY & BFPD LIFE INSURANCE PREMIUMS DECEMBER	12/18/2014	2646	\$5,996.16
CITY OF BELMONT EMPLOYEES	DIRECT DEPOSIT 12/15/14	12/15/2014	2641	\$366,285.86
CITY OF BELMONT EMPLOYEES	DIRECT DEPOSIT 12/31/14	12/31/2014	2667	\$350,547.17
COTTON, SHIRES & ASSO., INC.	PROFESSIONAL SERVICES-VARIOUS PROJECTS	12/23/2014		\$5,447.86
CSG CONSULTANTS, INC.	FIRE PLAN REVIEW SERVICES	12/12/2014		\$5,402.19
DELL		12/12/2014		\$25,667.90
	OPTIPLEX 9020 TECH REFRESH PROFESSIONAL SERVICES-GENERAL PLAN UPDATE	12/12/2014		
DYETT & BHATIA EXPRESS PLUMBING				\$76,138.32
	RALSTON SEWER REPLACEMENT/CCN526	12/12/2014		\$168,957.50
FIRSTONSCENE, LLC	TECH. SUPPORT & MAINT. AGRMNT.	12/19/2014		\$7,000.00
FOLGER GRAPHICS	WINTER/SPRING RECREATION CATALOG	12/19/2014		\$5,789.29
HEART OF SAN MATEO COUNTY	FY 15 ANNUAL MEMBERSHIP	12/5/2014		\$8,498.00
ICMA RETIREMENT TRUST 457	DEFERRED COMP PLAN-EE & ER	12/5/2014		\$36,075.87
ICMA RETIREMENT TRUST 457	DEFERRED COMP PLAN-EE & ER	12/19/2014		\$36,038.73
MID-PENINSULA WATER DISTRICT	WATER SERVICE-VARIOUS SITES	12/12/2014		\$5,123.64
NASH, TERI	INSTRUCTOR PAYMENTS	12/19/2014		\$22,309.50
NAZARETH VISTA LLC	DECEMBER SENIOR HOUSING	12/12/2014		\$12,210.00
P.E.R.S HEALTH BENEFITS	CITY & BFPD JAN 2015 HEALTH PREMIUMS	12/23/2014		\$158,609.05
PBIA	CITY & BFPD DENTAL PREMIUMS DEC 2014	12/12/2014		\$18,783.99
PG&E	GAS & ELECTRICITY-VARIOUS SITES	12/23/2014	EFT1288	\$7,600.20
SILICON VALLEY CLEAN WATER	JAN 2015 CONTRIBUTIONS	12/12/2014	EFT1083	\$227,425.66
STATE WATER RESOURCES CONTROL	PERMIT MNSTW/2-411538M02	12/12/2014	1069394	\$16,654.00
TELECOMMUNICATIONS ENG. ASSOC.	BASE STATION RADIO MAINTENANCE	12/19/2014	1069506	\$9,507.00
THE LEW EDWARDS GROUP	COMMUNITY OUTREACH & CONSULTING SERVICES	12/19/2014	1069507	\$5,000.00
TRINET CONSTRUCTION	MARSTEN SD REPAIR PROJ/CCN527	12/12/2014	1069399	\$50,028.90
U.S. BANK CORP PAYMENT SYSTEM	CREDIT CARDS-VARIOUS DEPARTMENTS	12/19/2014	1069510	\$25,200.07
U.S. DEPARTMENT OF TREASURY &	BFPD EE & ER TAXES 11/28/14	12/2/2014	2672	\$29,771.24
FRANCHISE TAX BOARD				
U.S. DEPARTMENT OF TREASURY &	CITY EE & ER TAXES 11/28/14	12/2/2014	2671	\$109,224.79
FRANCHISE TAX BOARD				
U.S. DEPARTMENT OF TREASURY &	BFPD EE & ER TAXES 12/15/14	12/17/2014	2673	\$30,899.97
FRANCHISE TAX BOARD		2177777	735.3	
U.S. DEPARTMENT OF TREASURY &	CITY EE & ER TAXES 12/15/14	12/17/2014		\$114,235.62
FRANCHISE TAX BOARD	CITTLE & EN ITALES 12/15/14	12/1//2014	2674	711-1,255.02
VALLEY OIL COMPANY	UNLEADED FUEL-VARIOUS DEPARTMENTS	12/12/2014	EFT1104	\$14,685.19
				The second secon
VMI, INC.	EOC AUDIO AND SURDORT	12/12/2014		\$6,566.40
XTELESIS CORPORATION	EXTENSION AND SUPPORT	12/12/2014		\$14,323.45
	Total Disbursen			\$4,318,487.18
		101	al Count	47
	Burgland Guide American Provide American Color			
3.009323	Purchase Order Amounts Equal to \$5,000 and Above	200	2.1	200000
Vendor	Description No purchase orders issued	Date	No.	Amount

No purchase orders issued

CITY OF BELMONT TREASURER'S REPORT December-14



	Ag	ency Receipts an	d Dis	bursements Summ	ary		
	- 1	ginning Balance cember 1, 2014		Receipts	D	isbursements	nding Balance cember 31, 2014
City of Belmont Belmont Fire Protection District Fire Net 6 Communications JPA Successor Agency of the RDA ¹	\$	13,476,923.12 1,941,230.56 336,522.79 1,418,811.15	\$	10,517,598.06 3,176,861.13 - 8,629.86	\$	(1,556,976.43) (2,101,675.43) (15,202.72) (990,463.91)	\$ 22,437,544.75 3,016,416.26 321,320.07 436,977.10
Total	\$	17,173,487.62	\$	13,703,089.05	\$	(4,664,318.49)	\$ 26,212,258.18

Balance Summary									
	·-	Deposit		Investments		Pool Total			
City of Belmont, Belmont Fire Protection District, Fire Net 6 & Successor Agency of RDA	\$	633,889.27	\$	25,578,368.91	\$	26,212,258.18			

¹ In accordance with ABX1 26, the Belmont Redevelopment Agency was dissolved January 31, 2012 and the Successor Agency to the former RDA was established on February 1, 2012.

I certify that this report accurately reflects all investments of City of Belmont, Belmont Fire Protection District, Net Six, and Successor Agency, and is in conformance with the adopted Investment Policy mandated by Government Code 53646. Furthermore, I certify to the best of my knowledge, sufficient investment liquidity and anticipated revenues are available to meet the Agency's budgeted expenditure requirement for the next six months.

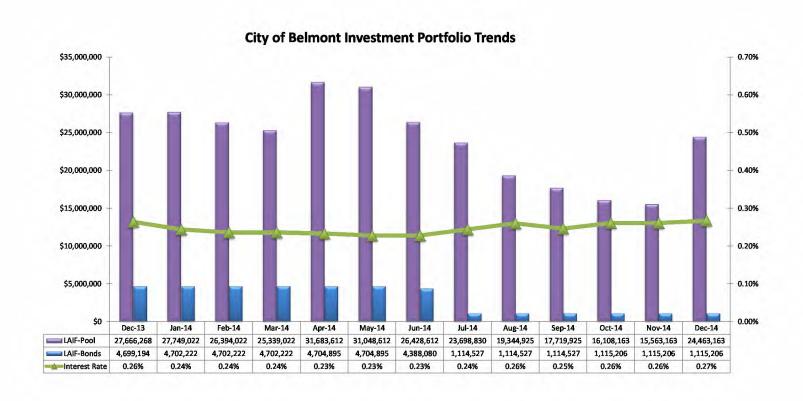
Respectfully Submitted,	
John Violet	
City Treasurer	

CITY OF BELMONT TREASURER'S REPORT December-14



	Investment Detail											
Investment Type	Issuer	Maturity Date		Par Amount	¢	Current Market Value	Inter	est Total	Investment Period	Rate	Pricing Source	Manager
Deposit General Account	Wells Fargo	Daily	\$	633,889.27	\$	633,889.27					Bank	Bank
Investments: L.A.I.FPOOL L.A.I.FBONDS*	State of California State of California	Daily Daily		24,463,163.15 1,115,205.76		24,462,683.18 1,115,183.88		5,443.05 248.13	90 days 90 days	0.267% 0.267%	LAIF LAIF	LAIF LAIF
Total			\$	26,212,258.18	\$	26,211,756.33	\$	5,691.19				

^{*}L.A.I.F.-Sewer Bond account was opened 3/06.





STAFF REPORT

Meeting Date: January 27, 2015

Agency: City of Belmont

Staff Contact: Thomas Fil, Finance Department, (650) 595-7435 tfil@belmont.gov

Agenda Title: FY 2016 Budget Calendar

Agenda Action: Motion

Recommendation

Adopt motion approving FY 2016 Budget Calendar.

Background

As part of the annual budget development process, the City Council adopts a budget calendar establishing dates leading to review and approval of the annual budget.

Analysis

The FY 2016 Budget Calendar calls for a series of work sessions ultimately resulting in adoption of the budget on June 9th. Additional key dates are highlighted in the attached calendar and may be subject to change.

Alternatives

1. Take No Action.

Attachments

A. Proposed FY 2016 Budget Calendar

No Impact/Not Applicable

Fiscal Impact

	Funding Source Confirmed:												
Sou	rce:	Purpe	ose:	<u>Pul</u>	olic Outreach:								
	Council		Statutory/Contractual Requirement		Posting of Agenda								
\boxtimes	Staff		Council Vision/Priority		Other*								
	Citizen Initiated		Discretionary Action										
	Other*		Plan Implementation*										

City of Belmont FY 2016 Budget Calendar

Day	Date	Event	Responsibility	✓
Tuesday	1/27/15	Adopt motion approving Budget Calendar	Finance	✓
Tuesday	2/24/15	FY 2015 Mid-Year Review and Adoption	Finance & All Departments	✓
TBD	TBD	 Council Priority Workshop FY 2016 Strategic Planning & Financial Forecast Priorities and policy considerations 	All Departments & Finance	✓
Monday	3/16/15	 Issue budget priorities, detail budget instructions and forms to departments. Distribute personnel allocations and revenue forms to departments 		
Wednesday	4/1/15	Submit personnel allocations, proposed initiatives, departmental operating and capital requests and revenue estimates to Finance	All Departments	
Monday- Friday	4/13/15- 4/17/15	Budget conferences with departments	City Manager, Finance & All Departments	
Monday	4/20/15	Begin compilation of Budget and preparation of budget message	City Manager, Finance	
Thursday	5/14/15	Distribute proposed FY 2016 Budget	Finance	
Tuesday	5/26/15	 Introduction of the proposed FY 2016 Budget and department presentations Set public hearing on adopting the FY 2016 Budget and setting non-Prop. 218 fees and charges – June 9, 2015 		✓
Tuesday	6/2/15	Audit Committee reviews proposed FY 2016 Budget	City Manager, Finance	✓
Tuesday	6/9/15	 Recommendation from Audit Committee Adopt FY 2016 Budget Public Hearing - City Council and Fire Board Adopt resolutions implementing FY 2016 Budget 	City Manager, Finance	✓

 $^{(\}checkmark)$ Check denotes Council or Council Standing Committee Action



STAFF REPORT

Meeting Date: January 27, 2015

Agency: City of Belmont

Staff Contact: Thomas Fil, Finance Department, (650) 595-7435, tfil@belmont.gov

Carlos de Melo, Community Development, (650)595-7440, cdemelo@belmont.gov

Agenda Title: Service Agreement Amendment with Keyser Marsten Associates to Perform

Professional Services Associated with Sares|Regis Exclusive Negotiating

Agreement

Agenda Action: Resolution

Recommendation

Adopt a resolution authorizing the City Manager to enter into a Service Agreement Amendment No. 1 with Keyser Marston Associates (KMA) for an amount not to exceed \$15,000.

Background

On August 13, 2013, Council approved Resolution No. 2013-094, entering into an Exclusive Negotiating Agreement (ENA) with Sares|Regis (SRGNC) as the master developer for the Firehouse Square project. That ENA expires in mid-March of this year and, at that time, Council will need to direct staff as to whether to extend the ENA.

Subsequently, on July 22, 2014, City Council approved Resolution No. 2014-112, authorizing the City Manager to execute a Service Agreement with KMA for housing and downtown economic services (Contract No. 2014-031-00).

Analysis

The next step in the process is to negotiate a term sheet (a non-binding agreement subject to later CEQA and Development and Disposition Agreements ("DDA")) prior to the ENA expiration date, or shortly thereafter.

The City's economic development consultant, KMA, has submitted a proposal amending Contract No. 2014-031-00, and would provide the following input into a potential term sheet that will eventually be brought to the City Council for consideration:

- 1. Financial analysis of potential deal points between the developer and City;
- 2. Financial analysis of policy alternatives that will impact on the disposition terms of a potential term sheet; and
- 3. Meetings with City staff, developer and likely with City Council to review and clarify the financial analyses, and incorporation into a potential term sheet.

KMA will provide the foregoing services to meet the ENA expiration date or – if extended by Council – not more than 60 days later.

Alte	ernatives			
1.	Take no action.			
2.	Provide other direction and refer matter back to staff.			
Atta	achments			
A.	Implementing Resolution			
В.	Keyser Marston Associates Proposed Scope of Services			
<u>Fisc</u>	eal Impact			
П	No Impact/Not Applicable			
	Funding Source Confirmed:	As required by the ENA, SRGNC has provided the City with a deposit to pay for the use of outside consultants such as KMA. Those funds are available in account #275-0-000-3927).		
Sou	rce: Purpose:	Public Outreach:		

Statutory/Contractual Requirement

Council Vision/Priority

Discretionary Action

Plan Implementation*

Posting of Agenda

Other*

Council

Citizen Initiated

Staff

Other*

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT AUTHORIZING AMENDMENT NO. 1 TO THE SERVICE AGREEMENT WITH KEYSER MARSTON ASSOCIATES TO PERFORM PROFESSIONAL SERVICES ASSOCIATED WITH SARES|REGIS EXCLUSIVE NEGOTIATING AGREEMENT IN THE AMOUNT OF \$15,000

WHEREAS, On August 13, 2013, Council approved Resolution No. 2013-094, entering into an Exclusive Negotiating Agreement (ENA) with Sares|Regis (SRGNC) as the master developer for the Firehouse Square project; and,

WHEREAS, that ENA expires in mid-March of this year and may require an extension; and,

WHEREAS, it is recommended that the City negotiate a term sheet by the ENA expiration date, or shortly thereafter; and,

WHEREAS, Keyser Marston Associates (KMA) was awarded a service agreement (Contract No. 2014-031-00) to perform housing and downtown economic services; and,

WHEREAS, KMA has submitted a proposal to amend Contract No. 2014-031-00 and would provide input into a potential term sheet that will eventually be brought to the City Council for consideration; and,

WHEREAS, the City is desirous of authorizing Amendment No. 1 to the Contract No. 2014-031-00 with KMA to Perform Professional Services Associated with Sares|Regis Exclusive Negotiations Agreement in the Amount of \$15,000; and,

WHEREAS, as required by the ENA, SRGNC has provided the City with a deposit to pay for the use of outside consultants such as KMA.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

<u>SECTION 1.</u> City Manager is authorized to negotiate and execute Amendment No. 1 to the Contract No. 2014-031-00 with Keyser Marston Associates to perform professional services associated with Sares|Regis Exclusive Negotiations Agreement in the amount of \$15,000, subject to approval as to form by the City Attorney.

* * *

Ayes: Noes: Absent: Abstain: ATTEST: Mayor City Clerk APPROVED AS TO FORM: City Attorney

ADOPTED January 27, 2015, by the City of Belmont City Council by the following vote:



January 16, 2015

Advisors in: Real Estate Affordable Housing Economic Development Thomas Fil Finance Director City of Belmont

SAN FRANCISCO
A. JERRY KEYSER
TIMOTHY C. KELLY
KATE EARLE FUNK
DEBBIE M. KERN
REED T. KAWAHARA

DAVID DOEZEMA

One Twin Pines Lane, Suite 320 Belmont, CA 94002

Re:

Proposed Scope of Services Re: Firehouse Square Negotiations with

Belmont Firehouse Square LLC (Sares Regis Group)

LOS ANGELES
KATHLEEN H. HEAD
JAMES A. RABE
GREGORY D. SOO-HOO
KEVIN E. ENGSTROM
JULIE L. ROMEY

Dear Thomas:

SAN DIEGO PAUL C. MARRA In accord with our current discussions, Keyser Marston Associates, Inc. (KMA) submits the following scope of services and associated maximum fee. The context is that developer Sares Regis has an Exclusive Negotiation Agreements (ENA) for property known as Firehouse Square. That ENA expires in mid-March of this year, and the Belmont City council will need to decide whether to extend the ENA.

A logical next step is to agree to a term sheet (a non-binding agreement subject to later CEQA and DDA) by the ENA expiration date or shortly thereafter. KMA's proposal of services would provide the following input into a potential term sheet that might be brought to the City Council for consideration:

- 1. Financial analysis of potential deal points between the developer and City;
- 2. Financial analysis of policy alternatives that will impact on the disposition terms of a potential term sheet;
- 3. Meetings with City staff, developer and likely with City Council to review and clarify the financial analyses, and incorporation into a potential term sheet.

KMA would provide the foregoing services to meet the ENA expiration date or - if extended by Council - not more than 60 days later.

KMA services would be provided on a time and materials basis in accord with the attached schedule, not to exceed \$15,000.

Thank you for requesting this proposed scope of services.

Sincerely,

KEYSER MARSTON ASSOCIATES, INC.

Jerry Keyser
A. Jerry Keyser

cc: Nawel Voelker

KEYSER MARSTON ASSOCIATES, INC. PUBLIC SECTOR HOURLY RATES

2014/2015 A. JERRY KEYSER* \$280.00 MANAGING PRINCIPALS \$280.00 SENIOR PRINCIPALS* \$270.00 PRINCIPALS* \$250.00 MANAGERS* \$225.00 SENIOR ASSOCIATES \$187.50 ASSOCIATES \$167.50 SENIOR ANALYSTS \$150.00 **ANALYSTS** \$130.00 TECHNICAL STAFF \$95.00 ADMINISTRATIVE STAFF \$80.00

Directly related job expenses not included in the above rates are: auto mileage, parking, air fares, hotels and motels, meals, car rentals, taxies, telephone calls, delivery, electronic data processing, graphics and printing. Directly related job expenses will be billed at 110% of cost.

Monthly billings for staff time and expenses incurred during the period will be payable within thirty (30) days of invoice date.

^{*} Rates for individuals in these categories will be increased by 50% for time spent in court testimony.



STAFF REPORT

Meeting Date: January 27, 2015

Agency: City of Belmont

Staff Contact: Thomas Fil, Finance Department, (650) 595-7435 tfil@belmont.gov

Agenda Title: Payment for Annual Maintenance of the Budget Software

Agenda Action: Resolution

Recommendation

Adopt a resolution authorizing the payment of annual maintenance of the City's budget software, BI360, in the initial amount of \$6,683.

Background

On January 22, 2013, the City Council authorized the acquisition of new budget software, BI360.

Analysis

The annual software maintenance fees cover software upgrades, fixes and bugs in the software. The renewal coverage period is from February 4, 2015 through February 3, 2016. The amount for annual maintenance is \$6,683. Approval of this resolution will authorize the City to make annual payments of \$6,683.

Alternatives

1. Provide staff with alternative direction.

2. Take no action.

Attachments

Fiscal Impact

A. Implementing Resolution

No Impact/Not Applicable Funding Source Confirmed: Funding is available in the Finance Department's FY 15 Budget (101-1-501-8351) and will be placed in future budgets. Source: Purpose: **Public Outreach:** Statutory/Contractual Requirement Posting of Agenda Council Staff Council Vision/Priority Other* ☐ Citizen Initiated \boxtimes **Discretionary Action**

Plan Implementation*

Other*

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT AUTHORIZING PAYMENT FOR ANNUAL MAINTENANCE OF THE BUDGET SOFTWARE

WHEREAS, on January 22, 2013, by Resolution No. 2013-015, the City Council authorized the acquisition of new budget software, BI360; and,

WHEREAS, annual maintenance fees cover software upgrades, fixes and bugs in the software and are necessary during the use of the software; and,

WHEREAS, the annual maintenance cost is \$6,683.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

<u>SECTION 1.</u> The City Council authorizes annual payments for maintenance of the budget software, BI360, in the amount of \$6,683.

* * *

ADOPTE	ED January 27, 2015, by the C	City of Belmont City Council by the following vote
Ayes:		
Noes:		
Absent:		
Abstain:		
ATTEST:		
City Clerk		Mayor
		APPROVED AS TO FORM:
		City Attorney

Meeting Date: January 27, 2015



STAFF REPORT

Agency: City of Belmont

Staff Contact: Bill Mitchell, Information Technology Director, bmitchell@belmont.gov

Agenda Title: Procurement of Network Equipment and Licenses from Xtelesis Corporation

Agenda Action: Resolution

Recommendation

Adopt a resolution authorizing the City Manager to procure network equipment and licenses from Xtelesis Corporation for an amount not to exceed \$12,151.

Background

Information Technology staff have made significant progress in transforming the City's computing platform from 1990's technology to leading edge infrastructure. The first phase, approved by City Council in November 2013, replaced the City's aging network switching gear with state of the art equipment from Enterasys. This project was quickly followed by exchanging ten standalone servers with three servers powered by VMWare virtualization and building the City's first storage area network. Additionally, staff upgraded the City's backup/recovery solution from disk-to-tape with disk-to-disk. These technologies have increased the performance, efficiency and business continuity of the City computing platform while reducing the cost of additional server requirements.

Staff requests the City Council authorize additional network improvements that provide increased data throughput and security to mission critical applications. The equipment and licensing listed on the attached quote provides necessary connections to the City's high speed (10Gbps) network as well as enhanced data security.

Analysis

Enterasys hardware and licensing will be procured from Xtelesis Corporation under the Western States Cooperative Agreement (WSCA) a Governmental Purchasing Alliance (GPA). Purchasing under this GPA meets the City's purchasing policy per Resolution 9438.

Alternatives

- 1. Take no action
- 2. Deny recommendation
- 3. Refer back to staff for more information and/or alternative options.

Attachments

- A. Resolution
- B. Quote

<u>Fisca</u>	al Impact				
	No Impact/Not Ap Funding Source C	-		epartı	ment's FY 15 Budget
Sou	irce:	Purpo	ose:	<u>Pul</u>	olic Outreach:
	Council		Statutory/Contractual Requirement		Posting of Agenda
\boxtimes	Staff		Council Vision/Priority		Other*
	Citizen Initiated		Discretionary Action		
	Other*		Plan Implementation*	•	

^{*} Information Technology Work Plan

RESOLUTION NO. 2015-

RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO XTELESIS CORPORATION TO PROCURE NETWORK HARDWARE AND LICENSES IN AN AMOUNT NOT TO EXCEED \$12,151

WHEREAS, Information Technology strives to reduce operational expense while improving performance, efficiency and business continuity of mission critical applications; and,

WHEREAS, the City's computing platform continues to evolve to meet both technical and security challenges; and,

WHEREAS, procuring under a Governmental Procurement Alliance aligns with City purchasing policy.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

SECTION 1. The City Manager is authorized to execute a purchase order to Xtelesis Corporation for the procurement of network equipment and licenses in an amount not to exceed \$12,151.

* * *

ADOPTED January 27, 2015, by the City of Belmont City Council by the following vote:

Ayes:
Noes:
Absent:
Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

Xtelesis Corporation

800 Airport Blvd.

Phone: (650) 239-1439 - Fax: 1-650-239-1410 - Email: dhelvering@xtelesis.com



Date Quote # 12/22/14 XTLQ26242

Sold To: City of Belmont

Bill Mitchell

One Twin Pines Lane Belmont, CA 94002 United States

Phone: (650) 637-2970

Fax:

Ship To: City of Belmont

Bill Mitchell

One Twin Pines Lane Belmont, CA 94002 United States

Phone: (650) 637-2970

Fax:

Terms	Rep	P.O. Number	Ship Via
NET 30	dhelvering		Ground

Ln#	Qty	Mfg. Part Number	Description	List Price	Disc Price	Ext. Price
1	1	KK2008-0204	K-Series (4) Port 10Gb SFP Plus IOM	\$6,795.00	\$2,718.00	\$2,718.00
2	1	97004-H30393	EW NBD AHR-H30393.	\$195.00	\$195.00	\$195.00
3	1	KT2006-0224	Enterasys Switching Module - For Data Networking - 24 x 10/100/1000Base-T LAN	\$3,975.00	\$1,590.00	\$1,590.00
4	1	97004-H30400	EXTREMEWORKS NBD AHR FOR P/N K T2006-0224	\$110.00	\$110.00	\$110.00
5	1	NMS-25-UG	Upgrade NMS-10 to NMS-25	\$11,995.00	\$4,798.00	\$4,798.00
6	1	97003-S20127	EW Software Subscription-S201 27	\$1,736.00	\$1,736.00	\$1,736.00
					Sub Total	\$11,147.00
				Estimat	ed Sales Tax	\$1,003.23
					Shipping	\$0.00
					Total	\$12,150.23

The person signing below has the requisite authority to execute this binding sales order on behalf of the Customer whose name appears below. Customer agrees to all of Sales Order Standard Terms and Conditions as set forth on Xtelesis' WEB site at www.xtelesis.com/termsandconditions.php and acknowledges that such terms and conditions can only be changed by an Xtelesis Corporation Modification to Terms and Conditions, any such modification requiring the signature of an Officer of Xtelesis Corporation. Actual Shipping costs and Sales Tax will be added to the final invoice. QUOTES ARE NOT FINAL UNTIL AN XTELESIS DESIGN REVIEW HAS TAKEN PLACE. (JD-071309)

Customer Name:	
Signed By:	
Title:	
Date:	

07:28:23

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF BELMONT ESTABLISHING UNIFORM PROVISIONS, RESTATING DUTIES AND AMENDING OTHER PROVISIONS GOVERNING CITY BOARDS AND COMMISSIONS

THE CITY COUNCIL OF THE CITY OF BELMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. BCC CHAPTER 2, ARTICLE VI ADDED

Belmont City Code Chapter 2 is amended by adding Article VI (commencing with Section 2-160) as follows:

ARTICLE VI. CITY BOARDS AND COMMISSIONS

Sec. 2-160 Title

This article, which may be referred to as "Boards and Commissions Code", specifies the boards and commissions created by the City Council and establishes uniform rules for all city boards and commissions.

Sec. 2-161 Role in city government.

Boards and commissions are those subsidiary legislative bodies of the City Council whose membership does not include one or more members of the council. These citizen bodies advise the City Council and city staff, and when expressly authorized by specific delegation of the City Council, may make or participate in making city decisions that would otherwise be reserved to the City Council and city staff. When making or participating in making city decisions, these bodies adhere to federal, state and local law as well as the policies and regulations adopted by the City Council and in doing so act solely for public as opposed to personal interest. Boards and commissions enhance city government when they promote effective and efficient city decision-making.

Sec. 2-162 Appointment

- (a) Appointment to the commissions and boards specified in this article are made by the City Council except as otherwise specified.
- (b) Appointees assume their office upon taking the oath of office and continue until they resign their appointment in writing, their appointment is declared vacated, or a replacement is appointed.
- (c) Appointees are at will and serve at the pleasure of the City Council. The City Council may declare an appointed office vacant at any time without cause. Any such action by the council is not intended to reflect or imply any defect in the integrity or character of the appointee.
- (d) The appointment periods stated in this code for each body are established for the convenience of the City Council in making appointments and considering new appointments. Appointment periods begin on the first day of March and end on the last day of February except as otherwise determined by the City Council.

(e) Appointees serve without compensation except as the City Council may proscribe from time to time by resolution. Any such compensation may be reduced or eliminated at any time for a board or commission as a whole by the City Council without cause.

Sec. 2-163 Qualifications to hold office

- (a) To be eligible for appointment to a commission or board, a prospective appointee must:
- (1) be a resident of the City of Belmont;
- (2) have submitted a statement to the city clerk acknowledging he or she has read, understand and agrees to abide by the City's Code of Ethics and Conduct; and,
- (3) not be an officer and employee of the city, except as otherwise provided herein.
- (b) An appointee must, throughout the period of appointment, be eligible to hold office under subsection (a) and timely comply with the following requirements:
 - (1) submit documentation to the city clerk attesting that the appointee has completed the ethics training specified by Government Code Section 53235 ("AB 1234 training") within 30 days of assuming office and thereafter by April 1 of every other year; and,
 - (2) submit a completed California Fair Political Practices (FPPC) Statement of Economic Interests ("Form 700") to the city clerk within 30 days of assuming office and each year thereafter by the April 1.
- (c) If the City Manager determines that an appointee has failed to meet any of the qualification requirements in subsections (a) or (b), he or she must provide a written notice of disqualification to the appointee.
- (d) An appointee who fails to possess qualifications specified in subsection (a) is deemed to have vacated his or her office upon commencement of the non-compliance.
- (e) An appointee who fails to maintain qualifications specified in subsections (b)(1) or (b)(2) may not after notice from the City Manager participate as a member of the board or commission to which the person was appointed during the period of non-compliance, and may not receive compensation for the period of non-compliance.

Sec. 2-164. Procedures applicable to all commissions and boards

- (a) *Meetings*. All subsidiary legislative bodies created by the City Council shall conduct their meetings in accordance with the Brown Act, the principles of due process, Rosenberg's Rules of Order, as may be revised from time to time, and the city's Code of Ethics and Conduct. Each body may adopt such supplemental procedures as are consistent with this section, the policies and regulations adopted by the City Council, and state and federal law.
- (b) Officers. By April 15 of each calendar year, the members of a commission or board shall meet in regular session and elect from their members a chair and vice-chair. The role of the chair, and in his or her absence the vice-chair, is to conduct the meetings of the commission or board. The chair and vice-chair shall hold office for one (1) year or until their successors are elected.

- (c) *Quorum*. A majority of the appointed voting members of a commission or board constitutes a quorum. A member who abstains from voting is counted as present for purposes of determining quorum.
- (d) *Voting on Motions*. Commissions and boards shall take formal action by motion. Unless otherwise specified by the City Council or required by law, a simple majority of the members present and voting is required to pass a motion. A member who abstains from voting is not counted as voting for purposes of determining a majority.
- (e) *Minutes*. Each commission or board shall keep minutes. The minutes shall be maintained on file in the department of the staff person assigned to be the secretary of the body.

Sec. 2-165 Fiscal limits.

Commissions and boards must not incur, allow or permit to accrue any debt or liability in excess of available funds appropriated for its purposes by the City Council.

Sec. 2-166 Established Commissions and Boards.

- (a) Planning Commission.
- (1) A planning commission consisting of a minimum of five (5) and maximum of seven
- (7) members is created.
- (2) Planning Commission appointments are for three years unless otherwise determined by the City Council.
- (3) The duties of the planning commission are as follows.
- (A) Review and recommend to the City Council the adoption of or amendments to the general plan.
- (B) Exercise the control provided by city ordinances over the subdivision of land within the city.
- (C) Exercise the control provided by city ordinances over the zoning plan and advise as to proposed changes in the plan.
 - (D) Perform such other functions and duties as may be required by other city ordinances.
 - (E) Perform such other duties as may be assigned to the commission by the City Council.
- (b) Parks and Recreation Commission.
- (1) A parks and recreation commission consisting of a minimum of five (5) voting members and a maximum of seven (7) voting members and 2 non-voting youth members is created. The two non-voting youth members must be at least thirteen (13) years old, and no more than seventeen (17) years old at the time of appointment ("youth commissioners") and must present parental/guardian consent to be considered for appointment. The youth members may not receive compensation and serve only in an advisory capacity.

- (2) Parks and Recreation Commission appointments are for one year for a youth commissioner and two years for other members unless otherwise determined by the City Council.
- (3) The duties of the parks and recreation commission are as follows.
- (A) Advise the city council on the adoption and amendment of policies and programs in the general plan related to city recreation and open space. In doing so, the commission shall comply with Government Code Sections 65353 and 65354.
- (B) Advise the parks and recreation department on standards for and matters related to development of recreational areas, facilities, parks and programs.
- (C) Assist the parks and recreation department in making periodic inventories of recreational services and facilities and parks that exist or may be needed, and interpret such matters to the public and the City Council.
- (D) Advise the parks and recreation department in the preparation of the annual budget and long-range recreation and park capital improvement program.
- (E) Advise the public works department regarding bicycle and pedestrian projects eligible for Transportation Development Act local transportation funding and the development of comprehensive bicycle plans.
 - (F) Perform such other duties as may be assigned to the commission by the City Council.
- (c) Tree Board.
- (1) A tree board consisting of a minimum of three (3) and a maximum of five members, with one (1) parks and recreation commissioner, and one (1) planning commissioner, each appointed by their respective commissions, plus 1 3 members from the community at large.
- (2) Tree Board appointments are for three years for the members from the community appointed at large by the City Council and one year for the other members unless otherwise determined by the City Council.
- (3) The tree board's duties are as follows.
 - (A) Hear appeals of denied administrative permits.
 - (B) Recommend public tree care policies.
 - (C) Recommend preferred tree species and undesirable tree species.
 - (D) Promoting public awareness of trees and the provisions of this code regulating trees.

Sec. 2-167 Roster of appointive positions.

In accordance with Government Code Section 54972, the city clerk shall maintain an accurate roster of all regular and on-going commissions, boards, and committees which are

appointed by the city council. The roster shall list the qualifications for appointment, state that all appointments serve at the pleasure of the city council, and for each appointive position, the name of the current appointee, the date of their appointment, and the period of appointment applicable to their office.

Sec 2-168. Subsidiary bodies.

Commissions and boards may not create subsidiary legislative bodies unless specifically authorized by the City Council.

SECTION 2. BCC CHAPTER 2, ARTICLE VII ADDED

Belmont City Code Chapter 2 is amended by adding Article VII (commencing with Section 2-170) as follows:

ARTICLE VII. PERMANENT CITY COUNCIL COMMITTEES

Sec. 2-170 Audit Committee

- (a) An audit committee is created consisting of the city treasurer who serves as its chair, the current vice-mayor, and one rotating at large councilmember who is selected annually from among the remaining councilmembers.
 - (b) The audit committee's duties are as follows.
- (1) To provide independent review and oversight of the financial reporting processes, internal controls and independent auditors to ensure the public's trust.
- (2) To determine the appointment, compensation, and retention of independent accountants and other experts engaged for the purpose of preparing or issuing an independent audit report or performing other independent audit, review, or attest services.
- (3) To determine whether the financial statements are fairly presented, based on discussion of the financial statements with management, the independent auditors, legal counsel, and other experts.
- (4) To establish and maintain a policy for the secure and confidential handling of whistleblower complaints as a key defense against fraud.
- (5) To provide annual presentation to the City Council of how it discharged its duties and met its responsibilities for financial reporting.
 - (6) To participate in the budget review process.
- (7) To evaluate special projects for financial consequences, assess alternatives and make appropriate recommendations as may be requested by the city manager.

SECTION 3. BCC CHAPTER 16, ARTICLE I ADDED

Belmont City Code Chapter 16 is amended by adding Article I commencing with Section 16-1 as follows. Section 16-1 was previously codified as Section 2-177 and is codified as Section 16-1

without substantive modification.

ARTICLE I. PARKS AND OPENS SPACE

Sec. 16-1. - Use of twin pines property.

The 17.12 acres, more or less of land known as a portion of Twin Pines Property and existing buildings thereon purchased by the City shall be used solely for open space and park and recreation purpose.

SECTION 4. BCC SECTION 2-163 RENUMBERED SECTION 1-13

Belmont City Code Section 2-163 is renumbered Section 1-13 and added to Chapter 1 to read:

Sec. 1-13. - Subdivision ordinance saved from repeal.

Nothing contained in this Code or in the ordinance adopting this Code shall be construed to repeal or otherwise affect the subdivision ordinance of the city, being Ordinance Number 530, adopted March 8, 1974, as from time to time amended, and said ordinance as amended is hereby continued in full force and effect.

SECTION 5. BCC SECTION 2-164 RENUMBERED SECTION 1-14

Belmont City Code Section 2-164 is renumbered Section 1-14 and added to Chapter 1 to read:

Sec. 1-14. - Zoning ordinance saved from repeal.

Nothing contained in this Code or in the ordinance adopting this Code shall be construed to repeal or otherwise affect the zoning ordinance of the city, being Ordinance Number 360, adopted March 27, 1967, as from time to time amended, and said ordinance as amended is hereby continued in full force and effect.

SECTION 6. REPEALS.

- (a) Belmont City Code Chapter 2, sections 2-151 through 2-179 are repealed and Articles VII, VIII, and IX are reserved.
- (b) City of Belmont Ordinance No. 360 ("Belmont Zoning Ordinance") Section 10.1 is repealed and reserved.

SECTION 7. OTHER BOARDS AND COMMISSIONS.

All other boards and commissions in existence on the effective date of this ordinance and not specified in Section 1 are dissolved.

SECTION 8. CEQA EXEMPTION.

The City Council finds, under Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The council therefore directs that a Notice of Exemption

be filed with the Alameda County Clerk in accordance with the CEQA guidelines.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall take effect and will be enforced thirty (30) days after its adoption.

SECTION 10. PUBLICATION AND POSTING

The city clerk has caused to be published a summary of this ordinance, prepared by the city attorney under Government Code Section 36933, subdivision (c) of the, once, in a newspaper of general circulation printed and published in San Mateo County and circulated in the City of Belmont, at least five days before the date of adoption. A certified copy of the full text of the ordinance was posted in the office of the city clerk since at least five days before this date of adoption. Within 15 days after adoption of this ordinance, the city clerk shall cause the summary of this ordinance to be published again with the names of those City Councilmembers voting for and against the ordinance; and the city clerk shall post in the office of the city clerk a certified copy of the full text of this adopted ordinance with the names of those City Councilmembers voting for and against the ordinance.

* * *

The City Council of the City of Belmont, California introduced the foregoing ordinance, on January 13, 2015 and adopted the ordinance at a regular meeting held on January 27, 2015 by the following vote:

Ayes:	
Noes:	
Absent:	
Abstain:	
ATTEST:	
City Clerk	Mayor
	APPROVED AS TO FORM:
	City Attorney



STAFF REPORT

Meeting Date: January 27, 2015

Agency: City of Belmont

Staff Contact: Jennifer Rose, Finance Department, (650) 595-7453, <u>jrose@belmont.gov</u>

Agenda Title: Authorize Public Improvement Agreement for Use of Bond Proceeds

Agenda Action: Resolution

Recommendation

Adopt Resolution Authorizing Public Improvement Agreement for Use of Bond Proceeds.

Background

This City Council item is a companion action to item 2.A.(1) on tonight's Belmont Successor Agency Agenda. For a full staff report with background information, analysis, and fiscal impacts, please refer to the meeting materials for Successor Agency item 2.A.(1).

Alternatives

- Take No Action.
- 2. Provide Alternative Direction to Staff.

Attachments

- A. Resolution
- B. Public Improvement Agreement

Fiscal Impact

	No Impact/Not Applicable Funding Source Confirmed: The subject funds are currently held by the Successor Agency.							
Sou	rce:	Purpo	se:	<u>Pub</u>	lic Outreach:			
	Council	\boxtimes	Statutory/Contractual Requirement	\boxtimes	Posting of Agenda			
	Staff		Council Vision/Priority		Other*			
	Citizen Initiated		Discretionary Action					
	Other*		Plan Implementation*	<u>.</u>				

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT APPROVING AND AUTHORIZING EXECUTION AND IMPLEMENTATION OF THE PUBLIC IMPROVEMENT AGREEMENT BETWEEN THE CITY AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF BELMONT

WHEREAS, under ABx1 26 enacted in June 2011, as amended by AB 1484 enacted in June 2012 (collectively, the "Dissolution Law"), the City of Belmont (the "City") and the Successor Agency to the Redevelopment Agency of the City of Belmont (the "Successor Agency") are required to take certain actions regarding bonds issued by the Redevelopment Agency of the City of Belmont (the "Former Agency") prior to its dissolution on February 1, 2012; and,

WHEREAS, by letter dated October 1, 2014, the California Department of Finance ("DOF") issued to the Successor Agency a finding of completion in accordance with Health and Safety Code Section 34179.7 (the "Finding of Completion"), signifying the Successor Agency's full compliance with specified payment obligations; and,

WHEREAS, prior to the dissolution of the Former Agency:

- 1. Under California Community Redevelopment Law (Health and Safety Code Section 33000 et seq; the "Redevelopment Law"), the Former Agency was responsible for implementing the Redevelopment Plan for the Los Costanos Community Development Project (the "Redevelopment Plan"), which set forth a redevelopment program for the Los Costanos Community Development Project Area (the "Project Area"), including the provision and enhancement of public facilities and infrastructure benefitting the Project Area; and,
- 2. Under an Indenture of Trust between the Former Agency and BNY Western Trust Company, dated as of December 1, 1999 (the "1999 Bond Indenture"), and related bond documents (the "1999 Bond Documents"), the Former Agency issued Belmont Redevelopment Agency Subordinated Tax Allocation Bonds Series 1999B in the principal amount of \$8,725,000 (the "1999 Bonds") for the purpose of funding public improvements for the benefit of the Project Area and in furtherance of the Redevelopment Plan; and,

WHEREAS, there remain \$325,259 of unencumbered net proceeds of the 1999 Bonds (the "Remaining 1999 Bond Proceeds"), which have been transferred to and remain in the possession of the Successor Agency; and,

WHEREAS, Health and Safety Code Section 34191.4(c), which applies to successor agencies that have received a finding of completion from the DOF, provides, in relevant part:

"Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold. Notwithstanding...any... conflicting provision of law, bond proceeds in excess of the amounts needed to satisfy approved enforceable obligation shall thereafter be expended in a manner consistent with

the original bond covenants...An expenditure pursuant to this paragraph shall constitute the creation of an excess bond proceeds obligation to be paid from the excess proceeds. Excess bond proceeds shall be listed separately on the Recognized Obligation Payment Schedule submitted by the successor agency"; and,

WHEREAS, for the reasons summarized below, the Agreement constitutes the creation of an excess proceeds obligation authorized by Health and Safety Code Section 34191.4(c) that shall be paid from the Remaining 1999 Bond Proceeds:

1. Health and Safety Code Section 34191.4(c) applies to the Successor Agency because the Successor Agency has received its Finding of Completion from DOF. The Finding of Completion expressly states in relevant part:

"The [Successor] Agency may now do the following:...Utilize proceeds derived from bonds issued prior to January 1, 2011 in a manner consistent with the original bond covenants per HSC section 34191.4(c)"; and,

- 2. The Remaining 1999 Bond Proceeds to be expended by the Successor Agency under this Agreement constitute "bond proceeds derived from bonds issued on or before December 31, 2010" in that the 1999 Bonds were issued on December 1, 1999; and,
- 3. The Remaining 1999 Bond Proceeds to be expended by the Successor Agency under this Agreement also constitute "bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations" in that the Remaining 1999 Bond Proceeds constitute unencumbered proceeds of the 1999 Bonds received by the Successor Agency from the Former Agency that are not needed to satisfy any "enforceable obligation", as that term is defined in Health and Safety Code Section 34171(d); and,
- 4. Expenditure of Remaining 1999 Bond Proceeds by the Successor Agency under this Agreement is "for the purposes for which the bonds were issued" and "in a manner consistent with the original bond covenants", which purpose and covenants are found primarily in the 1999 Bond Indenture and the 1999 Bond Documents. Specifically, the 1999 Bond Documents provide that the Remaining 1999 Bond Proceeds will "finance redevelopment activities of the Agency with respect to the Project Area."; and,

WHEREAS, in accordance with Health and Safety Code Section 34191.4(c), the Successor Agency and the City desire to enter into a Public Improvement Agreement (the "Agreement"), whereby the Successor Agency will grant and provide to the City the Remaining 1999 Bond Proceeds in the amount of \$325,259, and the City will utilize the Remaining 1999 Bond Proceeds for public improvements consistent with the 1999 Bond Documents, including providing design, construction administration, inspection, and permit services, and entering into one or more construction contracts if required; and,

WHEREAS, under Health and Safety Code Section 34189(a), the provisions of Health and Safety Code Section 33445 are now inoperative, so that no findings of the Successor Agency or the City Council are required under that statutory provision in connection with the approval

and execution of this Agreement; it being understand that this Agreement is entered into under the authority of Health and Safety Code Section 34191.4(c); and,

WHEREAS, Health and Safety Code Section 34180(h) requires that any agreement between a successor agency and the city that formed a dissolved redevelopment agency, such as the Agreement, must be approved by the successor agency's oversight board; and,

WHEREAS, consequently, the Agreement will become effective only upon approval of the Oversight Board and certain other actions under the Dissolution Law, as fully provided in Section 2.10 of the Agreement (the "Effective Date").

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

<u>SECTION 1.</u> The foregoing recitals are true and correct.

<u>SECTION 2.</u> The City Council hereby approves the Agreement, and authorizes the City Manager to execute the Agreement on behalf of the City, substantially in the form on file with the City Clerk.

<u>SECTION 3.</u> Upon the Effective Date of the Agreement, the City hereby appropriates (to the extent not already appropriated) the Remaining 1999 Bond Proceeds for uses consistent with the Agreement.

<u>SECTION 4.</u> The City Manager or designee, following consultation with the City Attorney, is authorized to take all actions and execute all documents on behalf of the City necessary to effectuate the purpose of this Resolution and the Agreement.

SECTION 5. This Resolution shall go into full force and effect on the date of its adoption.

* * *

ADOPTED January 27, 2015, by the City of Belmont City Council by the following vote:

Ayes:	
Noes:	
Absent:	
Abstain:	
ATTEST:	
City Clerk	Mayor
	APPROVED AS TO FORM:
	City Attorney

PUBLIC IMPROVEMENT AGREEMENT FOR USE OF BOND PROCEEDS

This Public Improvement Agreement for Use of Bond Proceeds (the "Agreement") is entered into as of January 27, 2015 by and between the City of Belmont (the "City"), and the Successor Agency to the Redevelopment Agency of the City of Belmont (the "Successor Agency"), on the basis of the following facts, understandings, and intentions of the City and the Successor Agency (sometimes collectively referred to as the "Parties" and individually as a "Party"):

RECITALS

- A. This Agreement is entered into to implement terms and requirements of ABx1 26 enacted June 28, 2011, as modified by AB 1484 enacted June 27, 2012 (collectively, the Dissolution Law").
- B. By letter dated October 1, 2014, the California Department of Finance ("DOF") issued to the Successor Agency a finding of completion in accordance with Health and Safety Code Section 34179.7 (the "Finding of Completion"), signifying the Successor Agency's full compliance with specified payment obligations.
- C. Prior to the dissolution of the Redevelopment Agency of the City of Belmont (the "Former Agency"):
- 1. Under California Community Redevelopment Law (Health and Safety Code Section 33000 et seq; the "Redevelopment Law"), the Former Agency was responsible for implementing the Redevelopment Plan for the Los Costanos Community Development Project (the "Redevelopment Plan"), which set forth a redevelopment program for the Los Costanos Community Development Project Area (the "Project Area"), including the provision and enhancement of public facilities and infrastructure benefitting the Project Area;
- 2. Under an Indenture of Trust between the Former Agency and BNY Wester Trust Company, dated as of December 1, 1999 (the "1999 Bond Indenture"), and related bond documents (the "1999 Bond Documents"), the Former Agency issued Belmont Redevelopment Agency Subordinated Tax Allocation Bonds Series 1999B in the principal amount of \$8,725,000 (the "1999 Bonds") for the purpose of funding public improvements for the benefit of the Project Area and in furtherance of the Redevelopment Plan.
- D. There remain \$325,259 of unencumbered net proceeds of the 1999 Bonds (the "Remaining 1999 Bond Proceeds"), which have been transferred to and remain in the possession of the Successor Agency.
- E. Health and Safety Code Section 34191.4(c), which applies to successor agencies that have received a finding of completion from DOF, provides, in relevant part:

"Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold. Notwithstanding...any... conflicting provision of law, bond proceeds in excess of the amounts needed to satisfy approved enforceable obligation shall thereafter be expended in a manner consistent with the original bond covenants...An expenditure pursuant to this paragraph shall constitute the creation of an excess bond proceeds obligation to be paid from the excess

proceeds. Excess bond proceeds shall be listed separately on the Recognized Obligation Payment Schedule submitted by the successor agency."

- G. For the reasons summarized below, this Agreement constitutes the creation of an excess proceeds obligation authorized by Health and Safety Code Section 34191.4(c) that shall be paid from the Remaining 1999 Bond Proceeds:
- 1. Health and Safety Code Section 34191.4(c) applies to the Successor Agency because the Successor Agency has received its Finding of Completion from the DOF. The Finding of Completion expressly states in relevant part:

"The [Successor] Agency may now do the following:...Utilize proceeds derived from bonds issued prior to January 1, 2011 in a manner consistent with the original bond covenants per HSC section 34191.4(c)."

- 2. The Remaining 1999 Bond Proceeds to be expended by the Successor Agency under this Agreement constitute "bond proceeds derived from bonds issued on or before December 31, 2010" in that the 1999 Bonds were issued on December 1, 1999.
- 3. The Remaining 1999 Bond Proceeds to be expended by the Successor Agency under this Agreement also constitute "bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations" in that the Remaining 1999 Bond Proceeds constitute unencumbered proceeds of the 1999 Bonds received by the Successor Agency from the Former Agency that are not needed to satisfy any "enforceable obligation", as that term is defined in Health and Safety Code Section 34171(d).
- 4. Expenditure of Remaining 1999 Bond Proceeds by the Successor Agency under this Agreement is "for the purposes for which the bonds were issued" and "in a manner consistent with the original bond covenants", which purpose and covenants are found primarily in the 1999 Bond Indenture and the 1999 Bond Documents. Specifically, the 1999 Bond Documents provide that the Remaining 1999 Bond Proceeds will "finance redevelopment activities of the Agency with respect to the Project Area."
- H. In accordance with Health and Safety Code Section 34191.4(c), the Successor Agency and the City desire to enter into this Agreement, whereby the Successor Agency will grant and provide to the City the Remaining 1999 Bond Proceeds in the amount of \$325,259, and the City will utilize the Remaining 1999 Bond Proceeds for public improvements consistent with the 1999 Bond Documents, including providing design, construction administration, inspection, and permit services, and entering into one or more construction contracts if required.
- I. Under Health and Safety Code Section 34189(a), the provisions of Health and Safety Code Section 33445 are now inoperative, so that no findings of the Successor Agency or the City Council are required under that statutory provision in connection with the approval and execution of this Agreement; it being understand that this Agreement is entered into under the authority of Health and Safety Code Section 34191.4(c).
- J. Under Public Resources Code 21000 et seq., this Agreement is not subject to the California Environmental Quality Act because it is only a funding mechanism for unspecified projects.

K. Health and Safety Code Section 34180(h) requires that any agreement between a successor agency and the city that formed a dissolved redevelopment agency, such as this Agreement, must be approved by the successor agency's oversight board. Consequently, this Agreement will become effective only upon approval of the Oversight Board and certain other actions under the Dissolution Law, as fully provided in Section 2.10.

NOW, THEREFORE, the City and the Successor Agency agree as follows:

ARTICLE 1. FUNDING

- Section 1.1 <u>Funding</u>. The Successor Agency hereby grants and agrees to make available to the City the Remaining 1999 Bond Proceeds in an amount equal to \$325,259 to be used exclusively to pay for City's services and third party costs for public improvements consistent with the 1999 Bond Documents.
- Section 1.2 <u>Bonds</u>. The City acknowledges that the Remaining 1999 Bond Proceeds are derived from proceeds of the 1999 Bonds. The City shall cooperate to assure that the Remaining 1999 Bond Proceeds are used as authorized by the terms of the 1999 Bond Indenture and the 1999 Bond Documents and the applicable laws, rules and regulations pursuant to which the 1999 Bonds were issued.
- Section 1.3 <u>Disbursement of Remaining 1999 Bond Proceeds</u>. The Successor Agency shall disburse the Remaining 1999 Bond Proceeds in their entirety to City within ten (10) days after the Effective Date (as defined and described in Section 2.10), for use by the City consistent with the 1999 Bond Documents.

ARTICLE 2. GENERAL PROVISIONS

Section 2.1 Notices. Any notice or communication required to be given under this Agreement by a Party shall be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If delivered by registered or certified mail, a notice shall be deemed to have been given and received on the first to occur of: (a) actual receipt by an addressee designated below as a Party to whom notices are sent; or (b) five (5) days after the registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If delivered personally, a notice shall be deemed to have been given when delivered to the Party to whom it is addressed. A Party may at any time, by giving ten (10) days written notice to the other Party pursuant to this Section 2.1, designate any other address substitution of the address to which such notice or communication be given.

Notices shall be given to the Parties at their address set forth below:

Successor Agency: Successor Agency for the Redevelopment Agency of the

City of Belmont One Twin Pines Lane Belmont, CA 94002

Attention: Executive Director

City: City of Belmont

One Twin Pines Lane Belmont, CA 94002 Attention: City Manager

- Section 2.2 <u>Actions of the Parties</u>. Except as otherwise provided in this Agreement, whenever this Agreement calls for or permits a Party's approval, consent, or waiver, the written approval, consent, or waiver of the Successor Agency's Executive Director or the City Manager (or their respective designees) shall constitute the approval, consent, or waiver of the Successor Agency or the City, respectively, without further authorization required from the governing board of the Party.
- Section 2.3 <u>Nondiscrimination</u>. The Successor Agency and City shall not, because of race, religion, creed, color, national origin, ancestry, sexual orientation, physical disability, mental disability, medical condition, marital status, or sex of any person, refuse to hire or employ the person, or refuse to select the person for a training program leading to employment, or bar or discharge the person from employment or from training program leading to employment, or discriminate against the person in compensation or in terms, conditions or privileges of employment with respect to performance of this Agreement. The City shall require the inclusion of substantially similar non-discrimination provisions in contracts City awards in the implementation of the Project.
- Section 2.4 No Third Party Beneficiaries. No person or entity other than the Successor Agency and City and their permitted successors and assigns, shall have any right of action under this Agreement.
- Section 2.5 <u>State Law.</u> This Agreement, and the rights and obligations of the Parties hereto, shall be construed and enforced in accordance with the laws of the State of California.
- Section 2.6 <u>Compliance with Legal Requirements</u>. The Successor Agency and the City shall both comply with all applicable laws, regulations and other legal requirements in performing their respective obligations under this Agreement.
- Section 2.7 <u>Additional Acts.</u> The Parties each agree to take such other and additional action and execute and deliver such other and additional documents as may be reasonably requested by the other Party for purposes of consummating the transactions contemplated in this Agreement.
- Section 2.8 <u>Litigation Regarding Agreement Validity</u>. In the event litigation is initiated attacking the validity of this Agreement, each Party shall in good faith defend and seek to uphold the Agreement.
- Section 2.9 <u>Entire Agreement: Modification</u>. This Agreement contains all of the agreements and understandings of the Parties pertaining to the subject matter contained herein and supersedes all prior or contemporaneous agreements, representations and understandings of the Parties. This Agreement cannot be amended or modified except by written agreement of the Parties.
- Section 2.10 <u>Effectiveness of Agreement</u>. This Agreement shall become effective only upon satisfaction of the following conditions:

Action");	(a)	Approval of this Agree	ement b	y the Oversight Board (the "Oversight Boa	ırd
the provisions		Notification to the DO th and Safety Code Se		e Oversight Board Action in accordance with 179(h); and	ith
Recognized C	bligation afety Co	maining 1999 Bond f n Payment Schedule (Funds r the "RC	or Agency of the excess bond procee epresented by this Agreement on a future?) in accordance with the last sentence oproval of such ROPS item by the Oversig	ire of
The d	•	on which the above o	conditio	ns are first satisfied is referred to as the	he
		EOF, this Agreement this Agreement:	has be	en executed as of the date set forth in the	he
				ESSOR AGENCY FOR THE VELOPMENT AGENCY OF THE CITY CONT)F
			Ву:	Executive Director	
			CITY C	F BELMONT	
			Ву:	City Manager	



STAFF REPORT

Meeting Date: January 27, 2015

Agency: City of Belmont

Staff Contact: Jennifer Rose, Finance Department, (650) 595-7453, <u>irose@belmont.gov</u>

Agenda Title: Accept Conveyance of Governmental Use Property from Successor Agency

Agenda Action: Resolution

Recommendation

Adopt a resolution accepting conveyance of governmental use property from the Successor Agency to the Belmont Redevelopment Agency.

Background

This City Council item is a companion action to item 2.A.(2) on tonight's Belmont Successor Agency Agenda. For a full staff report with background information, analysis, and fiscal impacts, please refer to the meeting materials for Successor Agency item 2.A.(2).

Alternatives

- 1. Take no action.
- 2. Provide alternative direction to staff.

Attachments

A. Resolution

Fiscal Impact

_	No Impact/Not Ap Funding Source C	_
<u>Sou</u>	rce:	Purpose:

Source:		Purpose:		Public Outreach:	
	Council		Statutory/Contractual Requirement		Posting of Agenda
\boxtimes	Staff		Council Vision/Priority		Other*
	Citizen Initiated		Discretionary Action		
П	Other*		Plan Implementation*	1	

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT ACCEPTING THE CONVEYANCE OF GOVERNMENTAL USE PROPERTY FROM THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF BELMONT

WHEREAS, by letter dated October 1, 2014, the California Department of Finance ("DOF") issued to the Successor Agency to the Redevelopment Agency of the City of Belmont (the "Successor Agency") a finding of completion in accordance with Health and Safety Code Section 34179.7 (the "Finding of Completion"), signifying the Successor Agency's full compliance with specified payment obligations; and,

WHEREAS, Health and Safety Code Section 34191.5(b) requires that, no later than six months following the issuance to the Successor Agency of the Finding of Completion, the Successor Agency prepare a Long-Range Property Management Plan ("LRPMP") to address the disposition and use of the properties of the former Redevelopment Agency of the City of Belmont (the "Former Agency"); and,

WHEREAS, the Successor Agency on January 27, 2015, adopted Resolution No. ____ approving a LRPMP that identifies the property assets of the former Redevelopment Agency of the City of Belmont (the "Former Agency") and the Successor Agency's preferred method of disposing of those assets; and,

WHEREAS, the Successor Agency's only property asset consists of improvements made by the Former Agency including streets, sidewalks, curbs, gutters, landscaping, fencing and irrigation at locations including Sixth Avenue, O'Neill Avenue, and Old County Road in the City of Belmont (the "Improvements"), which Improvements were constructed as and are currently used and maintained for a governmental purpose by the City of Belmont (the "City") as public roads and sidewalks; and.

WHEREAS, the Successor Agency desires to transfer the Improvements to the City as a governmental use property; and,

WHEREAS, Health and Safety Code Section 34181(a) provides that the Oversight Board for the Successor Agency (the "Oversight Board") may direct the transfer of ownership of the Former Agency's assets that are used for governmental purposes to the appropriate governmental agency, such as the City; and,

WHEREAS, the Oversight Board will consider directing the Successor Agency to transfer ownership of the Improvements to the City as the appropriate public agency to own, operate, and maintain the Improvements, and the City desires to own the Improvements.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

SECTION 1. The foregoing recitals are true and correct.

<u>SECTION 2.</u> The City Manager is authorized to accept the Improvements from the Successor Agency, after approval by the Oversight Board and upon the effective date of the Oversight Board's action under Health and Safety Code sections 34179(h) and Section 34181(f).

SECTION 3. This Resolution shall go into full force and effect on the date of its adoption.

* * *

	ADOPTED January 27, 2015, by the O	City of Belmont City Council by the following vote
Ayes:		
Noes:		
Abser	nt:	
Absta	in:	
ATTE	EST:	
City C	Clerk	Mayor
		APPROVED AS TO FORM:
		City Attorney



STAFF REPORT

Meeting Date: January 27, 2015

Agency: Belmont Fire Protection District

Staff Contact: Kent Thrasher, Belmont Fire District, 650-595-7492, kthrasher@belmont.gov

Agenda Title: Joint Fire Captain Assessment Center

Agenda Action: Resolution

Recommendation

Adopt a resolution authorizing the payment for services for conducting a Joint Fire Captain Assessment Center from Hargis & Associates for an amount not to exceed \$5,916.66.

Background

On March 11, 2014, the Fire District Board of Directors authorized the District Manager to negotiate & execute a contract with the cities of San Mateo and Foster City for fire department management and administrative service for the Belmont Fire Protection District. With the execution of this agreement all three departments have been able to continue providing quality customer service in a cost effective manner. In an effort to further enhance this shared services model the cities of Foster City & Belmont partnered to provide a joint promotional Fire Captain exam.

Analysis

Currently there is one shared Fire Captain position vacant as part of the shared truck agreement which the Fire District Board of Directors authorized the District Manager to execute on June 10, 2014. The development of this joint testing process, which was agreed upon by both cities and both fire bargaining units were represented, allows the departments to promote off a joint list in a fair and equitable manner. Hargis & Associates, the preferred vendor is a Human Resources consultant firm that specializes in public safety promotional exams. The services provided by the vendor include the development, administration and scoring of a multiple-choice test and assessment center for the position of Fire Captain. Applicants are scored and ranked based on their performance and an interview process will occur for the current opening. The consolidation of this promotional exam process enables these costs to be split equally between both jurisdictions.

<u>Alternatives</u>

1. Refer back to staff for further information

Attachments

A. Resolution

<u>Fisc</u>	al Impact				
	No Impact/Not Ap Funding Source C		ed: There ae sufficient funds in Fund District specifically for this purpo		Belmont Fire Protection
Sou	rce:	Purpo	ose:	Pub	olic Outreach:
	Council		Statutory/Contractual Requirement		Posting of Agenda
\boxtimes	Staff		Council Vision/Priority		Other*
	Citizen Initiated	\boxtimes	Discretionary Action		
	Other*		Plan Implementation*		

*

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BELMONT FIRE PROTECTION DISTRICT AUTHORIZING PAYMENT FOR SERVICES FOR JOINT FIRE CAPTAIN ASSESSMENT CENTER

WHEREAS, on March 11, 2014 the Fire District Board or Directors authorized the District Manager to negotiate & execute a contract with the cities of San Mateo and Foster City for fire department management and administrative services for the Fire District; and,

WHEREAS, in an effort to further enhance this shared services model the cities of Foster City and Belmont partnered to provide a joint promotional Fire Captain Exam; and,

WHEREAS, currently there in one shared Fire Captain position vacant as part of the shared truck agreement which the Fire District Board of Directors authorized the District Manager to execute on June 10, 2014; and,

WHEREAS, the development of this joint testing process allows the departments to promote off a joint list in a fair and equitable manner; and,

WHEREAS, services provided by the vendor include the development, administration and scoring of a multiple-choice test and assessment center for the position of Fire Captain; and,

WHEREAS, the consolidation of this promotional exam process enables these costs to be split equally between both jurisdictions.

NOW, THEREFORE, the Board of Directors of the Belmont Fire Protection District resolves as follows:

<u>SECTION 1.</u> The District Manager is authorized to execute a purchase order for services from Hargis & Associates for an amount not to exceed \$5,916.66.

* * *

ADOPTED January 27, 2015, by the Board of D by the following vote:	irectors of the Belmont Fire Protection District
Ayes:	
Noes:	
Absent:	
Abstain:	
ATTEST:	
Board Secretary	Board President
	APPROVED AS TO FORM:
	District Counsel



STAFF REPORT

Meeting Date: January 27, 2015

Agency: City of Belmont

Staff Contact: Cora Dino, Human Resources, 650-637-2988, <u>cdino@belmont.gov</u>

Agenda Title: Modification to City Councilmember Benefits

Agenda Action: Resolution

Recommendation

1) Adopt a resolution eliminating excess retiree health benefits for newly elected councilmembers and 2) adopt a resolution modifying the benefit package for current city councilmembers by de-linking the health and welfare benefits from the Mid-Management/Confidential Employees Association (MMCEA).

Background

On February 11, 1997, the City Council adopted Resolution 8002, granting itself certain health and welfare benefits. The health and welfare benefits provided to Council was commensurate with those granted to the Management/Confidential Bargaining Unit of the City. Resolution 8002 provided that future benefits granted to the Management/Confidential Bargaining Unit would automatically apply to the City Council benefit package.

Analysis

The approved City Council Policy Modifications for FY 2015 included a goal that the Council would consider modifications to the Council benefits that would de-link the benefits from the Management/Confidential bargaining unit, specifically the Mid-Management/Confidential Employees Association (MMCEA) and eliminate retiree health benefits in excess of any PEMHCA (Public Employees' Medical and Hospital Care Act) minimum employer contributions which maybe required by law.

Council benefits now include:

- 1. <u>Stipend:</u> Councilmembers may choose to receive \$390/month (Ord. 896, 1995; California Government Code 36516).
- 2. Medical Coverage/Internal Revenue Code 125 Plan/Health Benefit Conversion: Council members may choose a medical plan-- PPO (Preferred Provider Organization) or HMO (Health Maintenance Organization) through the California Public Employees' Retirement System (CalPERS) Health Benefits Program, up to 100% Kaiser employee plus two (2) or more dependents coverage. If Councilmember opts out of medical plan coverage provided by the City, s/he may defer some or all of the City's contribution to the Deferred Compensation Plan. No cash out is allowed.
 - a. Councilmembers elected prior to October 1, 2012 may elect to defer some or all of the city's contribution.
 - b. Councilmembers elected after December 31, 2012 may elect to defer up to ½ of the current Kaiser Employee or single plan rate.

- 3. <u>Deferred Compensation Plan</u>: The plan is available for Councilmembers to contribute monies from stipend and/or compensation in lieu of health benefits, subject to the 457 limits.
- 4. <u>Dental Coverage</u>: Delta Dental Preferred Option (DPO) Plan; City pays the full coverage for the Councilmember and Councilmember pays \$5/ month for one (1) Dependent and \$10/ month for two (2) or more Dependents.
- 5. <u>Vision Reimbursement Plan</u>: This City-funded plan covers Councilmember and eligible dependents. The City contributes \$19.00/ month for each Councilmember. Councilmember pays for services out of pocket and submit claims for reimbursement at the end of the fiscal year. Claims for reimbursement must be for services received during the fiscal year.
- 6. <u>CalPERS Retirement:</u> Councilmembers may choose to participate in California Public Employees Retirement System. CalPERS is an Optional Election for Elected Officials. The retirement formula to determine pension amounts vary, depending on when the councilmember was elected and number of years in City service.
- 7. <u>Retiree Health Benefits</u>: The City participates in the CalPERS Health Plan as governed by the Public Employees' Medical and Hospital Care Act (PEMHCA), and provides the minimum PEMCHA contribution (currently \$122 per month, increasing annually) for retirees as required by a law.
 - a. Councilmembers elected prior to October 1, 2012 and who retire with at least 12 years continuous service may receive a monthly reimbursement for health care premiums (capped at the Kaiser Bay Area Region employee only premium).
 - b. Councilmembers elected after December 31, 2012 may receive a contribution to a Retirement Health Savings (RHS) Plan based on years of service. Vesting in the RHS plan is after 10 years of continuous service with the City.
- 8. Retiree Dental: Eligible to participate at retiree's cost.
- 9. <u>Life & Accidental Death and Dismemberment Insurance</u>: \$75,000 coverage; Councilmembers may purchase additional life insurance in accordance with the plan.
- 10. Long-term Disability: 66 2/3% of base wages. City pays full cost of coverage.

For details on Council benefits, please refer to the attached Belmont City Council Compensation/Benefits Summary.

If the attached resolutions are approved, retiree health benefits would be eliminated for new Councilmembers elected after adoption of the resolution and Council benefits would no longer be linked to the MMCEA Memorandum of Understanding.

Special Procedure for this Item

The Political Reform Act financial conflict of interest regulations restrict the City Council's ability to discuss or take action regarding the benefits that current councilmembers receive. The conflict of interest rules prohibit councilmembers from making or participating in making decisions in which they are financially interested, such as whether or not to give themselves a certain health and wealth benefit. The regulations contain an exception that would allow councilmembers to discuss and vote on such matters when all of the members will receive the same benefit. (2 Cal Code Reg. 18705.5) As previously mentioned, councilmember benefits are currently linked to the Management/Confidential Bargaining Unit. In 2012, the council created benefit tiers for this unit based on the year of employment. As a consequence, the current city councilmembers do not have the same health and Page 2 of 3

City Council Benefit Modification

welfare benefits, and therefore would have a conflict of interest if they discussed or made a decision related to the benefits that current members receive, such as de-linking the benefits from the Management/Confidential Bargaining Unit. The Political Reform Act does however have a "rule of necessity" that allows a randomly selected quorum of the council (i.e. three members) to discuss and take action on such matters. Accordingly, staff recommends that the council as a whole first discuss and take action on the proposed elimination of retiree medical benefits for newly (i.e. future) elected councilmembers, then recess the meeting and reconvene the meeting with the three randomly selected councilmembers to discuss the proposed de-linking of councilmember benefits from the Management/Confidential Bargaining Unit.

Alternatives

- 1. Take Action
- 2. Take No Action
- 3. Provide Staff with Alternative Direction

Attachments

- A. Resolutions (2)
- B. Resolution No. 8002 February 11, 1997

Fiscal Impact

	No Impact/Not Ap Funding Source C				
Sou	rce:	Purp	ose:	Pub	olic Outreach:
	Council		Statutory/Contractual Requirement		Posting of Agenda
	Staff	\boxtimes	Council Vision/Priority		Other*
	Citizen Initiated		Discretionary Action		
	Other*		Plan Implementation*	•	

*

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT DE-LINKING THE HEALTH AND WELFARE BENEFITS FROM THE MID-MANAGEMENT/CONFIDENTIAL EMPLOYEES ASSOCIATION

WHEREAS, on February 11, 1997, the City Council adopted Resolution No. 8002 granting certain health and welfare benefits to the City Council that commensurate with those granted to the Management/Confidential Bargaining Unit of the City; and

WHEREAS, the approved City Council Policy Modifications for FY 2015 included a goal that the Council consider modifications to the Council benefits that would de-link the benefits from the Management/Confidential bargaining unit.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

<u>SECTION 1.</u> Resolution No. 8002 shall not apply to city Councilmembers elected or appointed after January 27, 2015.

SECTION 2. The health and welfare benefits for city councilmembers elected or appointed before January 27, 2015 are those benefits provided to the Mid-Management Confidential Employee Association in Resolution No. 2012-094 that they may by law receive.

* * *

	ADOPTED January 27, 2015, by the City	of Belmont City Council by the following vote
Ayes:		
Noes:		
Absen	t:	
Abstai	n:	
ATTE	ST:	
City C	Clerk	Mayor
		APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT ELIMINATING EXCESS RETIREE HEALTH BENEFITS FOR NEWLY ELECTED OR APPOINTED COUNCILMEMBERS

WHEREAS, on February 11, 1997, the City Council adopted Resolution No. 8002 granting certain health and welfare benefits to the City Council that commensurate with those granted to the Management/Confidential Bargaining Unit of the City; and

WHEREAS, the approved City Council Policy Modifications for FY 2015 included a goal that the Council consider modifications to the Council benefits that would eliminate retiree health benefits for Councilmembers.

WHEREAS, the Council intends to set Council retiree health benefits for new councilmembers to be no more than the minimum required by law.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

<u>SECTION 1.</u> The health and welfare benefits for city council members elected or appointed after January 27, 2015 are set forth in Exhibit A to this resolution.

* * *

ADOPTED January 27, 2015, by the City of Belmont City Council by the following vote:

Ayes:	
Noes:	
Absent:	
Abstain:	
ATTEST:	
City Clerk	Mayor
	APPROVED AS TO FORM:
	City Attorney

City of Belmont

City Council Compensation & Benefits Summary

The following represents the compensation and benefits offered to Councilmembers as authorized and approved by the City Council effective January 27, 2015. Council members elected or appointed after January 27, 2015 benefits are hereby established as set forth below. Council members elected or appointed prior to January 2, 2014 benefits were established by Resolution $8002 - \frac{2}{11/97}$ and Resolution $2012-094 - \frac{9}{11/12}$.

Councilmembers Elected or Appointed Before October 1, 2012:

- 1. <u>Stipend:</u> Councilmembers may choose to receive \$390/month (Ord. 896, 1995; California Government Code 36516).
- 2. Medical Coverage/Internal Revenue Code 125 Plan/Health Benefit Conversion: Councilmembers may choose a medical plan-- PPO (Preferred Provider Organization) or HMO (Health Maintenance Organization) through the California Public Employees' Retirement System (CalPERS) Health Benefits Program, up to 100% Kaiser employee plus two (2) or more dependents coverage. If Councilmember opts out of medical plan coverage provided by the City, s/he may defer some or all of the City's contribution to the Deferred Compensation Plan. Councilmembers may elect to defer some or all of the city's contribution. The difference of \$1587.14, less the cost of a Health Plan (if applicable) may be applied to Deferred Compensation only. No cash out is allowed.
- 3. <u>Deferred Compensation Plan</u>: The plan is available for Councilmembers to contribute monies from stipend and/or compensation in lieu of health benefits, subject to the 457 limits.
- 4. <u>Dental Coverage</u>: Delta Dental Preferred Option (DPO) Plan; City pays the full coverage for the Councilmember and Councilmember pays \$5/ month for one (1) Dependent and \$10/ month for two (2) or more Dependents.
- 5. <u>Vision Reimbursement Plan</u>: This City-funded plan covers Councilmember and eligible dependents. The City contributes \$19.00/ month for each Councilmember. Councilmember pays for services out of pocket and submit claims for reimbursement at the end of the fiscal year. Claims for reimbursement must be for services received during the fiscal year.
- 6. <u>CalPERS Retirement:</u> Councilmembers may choose to participate in California Public Employees Retirement System. CalPERS is an Optional Election for Elected Officials. The retirement formula is 2%@ 55, one year final compensation.
- 7. Retiree Health Benefits: The City participates in the CalPERS Health Plan as

governed by the Public Employees' Medical and Hospital Care Act (PEMHCA), and provides the minimum PEMCHA contribution (currently \$122 per month, increasing annually) for retirees as required by a law. Councilmembers who retire with at least 12 years continuous service may receive a monthly reimbursement for health care premiums (capped at the Kaiser Bay Area Region employee only premium).

- 8. Retiree Dental: Eligible to participate at retiree's cost.
- 9. <u>Life & Accidental Death and Dismemberment Insurance</u>: \$75,000 coverage; Councilmembers may purchase additional life insurance in accordance with the plan.
- 10. Long-term Disability: 66 2/3% of base wages. City pays full cost of coverage.

Councilmembers Elected or Appointed After December 31, 2012:

- 1. <u>Stipend:</u> Councilmembers may choose to receive \$390/month (Ord. 896, 1995; California Government Code 36516).
- 2. Medical Coverage/Internal Revenue Code 125 Plan/Health Benefit Conversion: Councilmembers may choose a medical plan-- PPO (Preferred Provider Organization) or HMO (Health Maintenance Organization) through the California Public Employees' Retirement System (CalPERS) Health Benefits Program, up to 100% Kaiser employee plus two (2) or more dependents coverage. If Councilmember opts out of medical plan coverage provided by the City, s/he may defer some or all of the City's contribution (1/2 of the current Kaiser Employee or single plan rate) to the Deferred Compensation Plan. No cash out is allowed.
- 3. <u>Deferred Compensation Plan</u>: The plan is available for Councilmembers to contribute monies from stipend and/or compensation in lieu of health benefits, subject to the 457 limits.
- 4. <u>Dental Coverage</u>: Delta Dental Preferred Option (DPO) Plan; City pays the full coverage for the Councilmember and Councilmember pays \$5/ month for one (1) Dependent and \$10/ month for two (2) or more Dependents.
- 5. <u>Vision Reimbursement Plan</u>: This City-funded plan covers Councilmember and eligible dependents. The City contributes \$19.00/ month for each Councilmember. Councilmember pays for services out of pocket and submit claims for reimbursement at the end of the fiscal year. Claims for reimbursement must be for services received during the fiscal year.
- 6. CalPERS Retirement: Councilmembers may choose to participate in California

- Public Employees Retirement System. CalPERS is an Optional Election for Elected Officials. The retirement formula is 2%@ 62, three year final compensation.
- 7. Retiree Health Benefits: The City participates in the CalPERS Health Plan as governed by the Public Employees' Medical and Hospital Care Act (PEMHCA), and provides the minimum PEMCHA contribution (currently \$122 per month, increasing annually) for retirees as required by a law. Councilmembers may receive a contribution from the City to a Retirement Health Savings (RHS) Plan based on years of service. Vesting in the RHS plan is after 10 years of continuous service with the City.

Years of Service	Monthly Contribution
Years 1-5	\$150.00
Years 6-10	\$200.00
Years11-15	\$250.00
Years 16 and thereafter	\$300.00

- 8. Retiree Dental: Eligible to participate at retiree's cost.
- 9. <u>Life & Accidental Death and Dismemberment Insurance</u>: \$75,000 coverage; Councilmembers may purchase additional life insurance in accordance with the plan.
- 10. Long-term Disability: 66 2/3% of base wages. City pays full cost of coverage.

Councilmembers Elected or Appointed After January 27, 2015:

- 1. Stipend: Councilmembers may choose to receive \$390/month (Ord. 896, 1995; California Government Code 36516).
- 2. Medical Coverage/Internal Revenue Code 125 Plan/Health Benefit Conversion: Councilmembers may choose a medical plan-- PPO (Preferred Provider Organization) or HMO (Health Maintenance Organization) through the California Public Employees' Retirement System (CalPERS) Health Benefits Program, up to 100% Kaiser employee plus two (2) or more dependents coverage. If Councilmember opts out of medical plan coverage provided by the City, s/he may defer some or all of the City's contribution (1/2 of the current Kaiser Employee or single plan rate) to the Deferred Compensation Plan. No cash out is allowed.
- 3. <u>Deferred Compensation Plan</u>: The plan is available for Councilmembers to contribute monies from stipend and/or compensation in lieu of health benefits, subject to the 457 limits.
- 4. <u>Dental Coverage</u>: Delta Dental Preferred Option (DPO) Plan; City pays the full

- coverage for the Councilmember and Councilmember pays \$5/ month for one (1) Dependent and \$10/ month for two (2) or more Dependents.
- 5. <u>Vision Reimbursement Plan</u>: This City-funded plan covers Councilmember and eligible dependents. The City contributes \$19.00/ month for each Councilmember. Councilmember pays for services out of pocket and submit claims for reimbursement at the end of the fiscal year. Claims for reimbursement must be for services received during the fiscal year.
- 6. <u>CalPERS Retirement:</u> Councilmembers may choose to participate in California Public Employees Retirement System. CalPERS is an Optional Election for Elected Officials. The retirement formula is 2%@ 62, three year final compensation.
- 7. <u>Retiree Health</u>: No retiree health in excess of any PEMCHA (Public Employees' Medical and Hospital Care Act) minimum employer contributions which maybe required by law.
- 8. <u>Life & Accidental Death and Dismemberment Insurance</u>: \$75,000 coverage; Councilmembers may purchase additional life insurance in accordance with the plan.
- 9. <u>Long-term Disability</u>: 66 2/3% of base wages. City pays full cost of coverage.

Notes:

- 1. Councilmembers serving consecutive terms remain in their pre-election category. Councilmembers with a break in service are considered newly elected for all benefits except PERS. There were no Councilmembers elected after September 30, 21012 through December 31, 2013.
- 2. Elected officials can choose whether or not to enter into the California Public employees Retirement System (CalPERS) via "CalPERS Election of Optional Membership."
- 3. The Public Employees' Pension Reform Act of 2003 (PEPRA) created two categories; "classic" (elected prior to 1/1/13) and "New" (elected on or after 1/1/13). Councilmembers with a break in service exceeding six (6) months, pursuant to PEPRA are considered newly elected for PERS retirement benefits.
- 4. For Retiree Health, the City participates in the CalPERS Health Plan as governed by the Public Employees' Medical and Hospital Care Act (PEMHCA) and provides the minimum PEMHCA contribution for retirees as required by law.

RESOLUTION NO. 8002

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT GRANTING CERTAIN HEALTH AND WELFARE BENEFITS TO THE CITY COUNCIL AND AUGMENTING THE GENERAL FUND BUDGET

WHEREAS, the City Council of the City of Belmont has surveyed other San Mateo County cites; and

WHEREAS, said cities provide health and welfare benefits as outlined in the survey attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont hereby grants to itself health and welfare benefits commensurate with those granted to the Management/Confidential Bargaining Unit of the City.

BE IT FURTHER RESOLVED that any future benefits granted to this bargaining unit will automatically apply to the City Council benefit package.

hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on February 11, 1997 by the following vote:

AYES, COUNCILMEMBERS:Feierbach, Levitt, Della Santina
NOES, COUNCILMEMBERS: Rianda
ABSTAIN, COUNCILMEMBERS: None
ABSENT, COUNCILMEMBERS:Harris
Lathy Kem

APPROVED:

Vice MAYOR of the City of Belmont

1

Council Benefits Survey

City	Medical Benefits	Dental Benefits	Life Insurance AD&D	Vision	PERS Retirement	
Belmont 25,103	None	None	None None	one	None	None
Burlingsme 28,327	City pays self & family; PERS plans	City reimb, per fiscal year + family \$47/mo & \$10/family	\$100,000 life No AD&D	City contributes \$15/mo	City pays	Offered at councilpersons expense. City matches \$10/mo.
Menio Park 30,465	City pays self only; PERS plans	Up to \$1600 reim. per fiscal yr + family	\$10,000 life No AD&D	Available, but no contribution by the City	Available, but no contribution by the City	None
Millbrae 21,446	same as full-time employees	same as full-time employees	2 ½ x their salary - life \$250,000 AD&D	None	City pays	Option at councilpersons expense
Mountain View 71;496	same as unrepresented employees: City pays up to \$594/mo.	same as unrep. empl; City pays up to \$123/mo	\$50,000 life No AD&D	included in medical	City pays	City pays \$300 annually and will match up to 2% employee contribution
Redwood City 71,718	City pays self & family, PERS plans up to \$424/mo.	City pays + family Cost: \$89.88/mo.	\$3,000 life No AD&D	VSP City pays \$21/mo.	City pays	Option at councilpersons expense
San Bruno 40,847	City pays - Kaiser only	None	\$10,000 life	None	Available, but no contribution by the City	Available, but no contribution by the City
Sam Carlos 28,047	Single party -Kaiser rate	None	\$10,000 life	None	Available, but no contribution by the City	Available, but no contribution by the City
Sata Mateo 92,017	City pays up to \$385/mo	City pays + family City cost: \$55.31/mo	\$25,000 life \$10,000 AD&D	City pays: City cost: \$19.24/mo.	City pays	Available, but no contribution by the City